

# Legislative Report

## Tennessee Commission on Children and Youth

### April 10, 2015

#### Alcoholic Beverages - 2

##### **SB375 / HB412 Beer manufacturing course - allows students under 21 to taste beer.**

**Sponsors** Sen. Bill Ketron / Rep. Steve McManus

**Description** Allows a student taking a qualified beer manufacturing course in higher education to taste beer, provided that the tasting is done for educational purposes, the student is 18 years of age and the beer remains in the control of an authorized instructor.

**Senate Status** 03/03/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 02/11/2015 - Referred to House Education Instruction and Programs Subcommittee.

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##### **SB990 / HB186 Liquor-by-the-drink tax proceeds to local governments.**

**Sponsors** Sen. Mark S. Norris / Rep. David Alexander

**Description** Extends certain current distribution provisions concerning liquor-by-the-drink tax proceeds to county and city governments until June 30, 2016. Changes effective date for certain distribution provisions for liquor-by-the-drink tax proceeds to July 1, 2016. Broadly captioned.

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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#### Campaigns & Lobbying - 5

##### **SB141 / HB495 Lobbyists - contacting a legislator during session or committee.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Prohibits a lobbyist or any employee or employer of a lobbyist from knowingly sending a text message or placing a telephone call to an official of the legislative branch while the official is participating in a legislative committee meeting or floor session, except in response to a prior request by the official.

**Senate Status** 03/26/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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##### **SB183 / HB158 Little Hatch Act - public school employees.**

**Sponsors** Sen. Joey Hensley / Rep. Glen Casada

**Description** Makes the "Little Hatch Act" applicable to teachers. Defines "teacher" as any person employed in a public school system as a teacher, helping teacher, teacher's aide, librarian, principal, supervisor, director of schools, or member of the administrative staff. Prohibits a teacher from displaying campaign literature, banners, stickers or other political advertising on the premises of any building or land owned by an LEA.

**Amendment** House amendment 1 (004276) provides that the restrictions against campaigning do not apply to a teacher during hours in which the teacher is not performing school duties. Extends the restriction to prohibit campaigning for a candidate for partisan or nonpartisan public office, instead of only for a candidate for political office. Clarifies that that the bill is aimed solely at prohibiting teacher campaigning while performing school duties, whereas the provisions of the Little Hatch Act as applied to other state employees extend to certain other activities.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/01/2015 - House passed with amendment 1.  
**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB654 / HB852 Paying past due child support not needed to regain voting right.**

**Sponsors** Sen. Sara Kyle / Rep. Johnnie Turner

**Description** Removes requirement that a person must pay outstanding child support obligations that accumulated during any period of incarceration to have right of suffrage restored.

**Senate Status** 04/08/2015 - Senate Judiciary Committee deferred to 2016.

**House Status** 04/07/2015 - House Local Government Committee recommended. Sent to House Calendar & Rules.

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**SB658 Allows person over age of 17 by election day to serve as poll worker.**

**Sponsors** Sen. Sara Kyle

**Description** Allows any person over 17 years of age by election day to serve as a poll watcher or poll worker, so long as, that person has not been convicted of certain crimes.

**Senate Status** 02/18/2015 - Referred to Senate State & Local Government Committee.

**House Status** *None*

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**SB687 / HB707 Prohibits lobbyist from making a campaign contribution to judge.**

**Sponsors** Sen. Ken Yager / Rep. Jon Lundberg

**Description** Prohibits lobbyist from making a campaign contribution to judge or a judicial candidate.

**Senate Status** 04/08/2015 - Senate deferred to 04/13/15.

**House Status** 04/09/2015 - House passed.

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**Cemetery & Funeral Services - 1**

**SB320 / HB289 Post-mortem examinations act and medicolegal death investigators.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Restructures post-mortem examinations act effective January 1, 2017. Requires counties to appoint a medicolegal death investigator, specifies the duties of the medicolegal death investigator, and prohibits counties from appointing county medical examiner after January 1, 2017. Specifies when death investigations, external examinations, and ancillary testing can be conducted, and when the forensic pathologist must complete the cause of death on the death certificate. Specifies grounds for performing autopsy and procedure for handling body and scene when there are grounds to perform an autopsy. Requires certain medical records, reports, and images be kept confidential under the federal Health Insurance Portability and Accountability Act (HIPAA). Specifies that law enforcement investigative reports are not public records. Specifies procedures for procurement of anatomical gifts by procurement organization. Makes various revisions to reflect change from county medical examiner to medicolegal death investigator. (17 pp.) Part of Administration Package.

**Senate Status** 02/11/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/11/2015 - Referred to House Health Subcommittee.

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**Commercial Law - 1**

**SB1158 / HB776 Authorizes certain protected consumer security freezes.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Martin Daniel

**Description** Authorizes certain guardians to place a security freeze on the consumer report of a person

under 18 years of age or an incapacitated person; authorizes remedies for violations of the security freeze; requires the division of consumer affairs to create a notice for the office of vital records to distribute in conjunction with certificates of birth describing the ability to utilize this type of security freeze.

**Amendment** HOUSE AMENDMENT 1 (005775) removes the bill's provision that a security freeze remains in effect until the person attains the age of 18 so that, under the amendment, the security freeze may only be removed by the request of the protected consumer or representative or after a consumer reporting agency discovers the security freeze was placed based on a material misrepresentation of fact by the protected consumer or representative. Increases, from \$5.00 to \$10.00, the fee a consumer reporting agency may charge for each placement or removal of a protected consumer security freeze. Lowers the age, from under 18 to under 16, for which the consumer reporting agency may not charge a fee for placing or removing a security freeze. This Removes the bill's provision entitling a person to notification of a release of credit information that was protected under a security freeze. Removes the provision of the bill that authorizes the division of consumer affairs of the department of commerce and insurance to seek penalties against the consumer reporting agency for a negligent release of credit information that was protected. This amendment removes the bill's provision making the award of attorneys' fees and costs mandatory rather than discretionary when a court finds that a provision of the Tennessee Identity Theft Deterrence Act had been violated. SENATE JUDICIARY AMENDMENT 1 (003695) reduces, from 18 to 16 years, the age by which this legislation applies with regards to protected consumer security freezes. Deletes language in the original bill, effectively requiring an individual, who is under the age of 16 years at the time a protected consumer security freeze is placed, to have such freeze in place until the individual submits a request for removal to the applicable credit bureau or consumer reporting agency. Requires the Attorney General to enforce all violations with regards to this legislation, as amended. Authorizes a court to award reasonable attorneys' fees and costs for a violation of these provisions. Increases, from \$5.00 to \$10.00, the maximum cost a credit bureau or consumer reporting agency may charge a consumer for placement or removal of a protected consumer security freeze.

**Senate Status** 03/17/2015 - Senate Judiciary Committee recommended with amendment 1 (003695). Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House passed with amendment 1 (005775), which removes the bill's provision that a security freeze remains in effect until the person attains the age of 18 so that, under the amendment, the security freeze may only be removed by the request of the protected consumer or representative or after a consumer reporting agency discovers the security freeze was placed based on a material misrepresentation of fact by the protected consumer or representative. Increases, from \$5.00 to \$10.00, the fee a consumer reporting agency may charge for each placement or removal of a protected consumer security freeze. Lowers the age, from under 18 to under 16, for which the consumer reporting agency may not charge a fee for placing or removing a security freeze. This Removes the bill's provision entitling a person to notification of a release of credit information that was protected under a security freeze. Removes the provision of the bill that authorizes the division of consumer affairs of the department of commerce and insurance to seek penalties against the consumer reporting agency for a negligent release of credit information that was protected. This amendment removes the bill's provision making the award of attorneys' fees and costs mandatory rather than discretionary when a court finds that a provision of the Tennessee Identity Theft Deterrence Act had been violated.

## Construction - 1

### **SB127 / HB24 Go Build Tennessee Act.**

**Sponsors** Sen. Jim Tracy / Rep. Ryan Williams

**Description** Establishes the Go Build Tennessee Program, to be administered by a designated corporation, for the purpose of securing funding to promote and foster the development of a statewide program designed to increase career opportunities for secondary and post-secondary students in the construction industry. Provides that the program shall be funded by a Go Build Account within the board of licensing contractors, and the corporation shall have access to the funding for the purpose of performing its duties set forth in this act.

**Amendment** House Business & Utilities Committee amendment 1 (003444) makes the bill. Enacts the "Go Build Tennessee Act." Creates a non-profit corporation to administer a program to increase career opportunities in the construction of industry. The program is funded through a percentage of the fees collected by the Board of Licensing Contractors. Sets out the authority and responsibilities of the corporation.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee recommended with amendments 1 (005657), 2 (005757) and 1 to 2. Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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## Corrections - 3

### **SB815 / HB892 Reports on the performance of private prison contractors.**

**Sponsors** Sen. Lee Harris / Rep. Bo Mitchell

**Description** Requires that the reports on the performance of private prison contractors by the commissioner of correction and the comptroller of the treasury be submitted to the fiscal review committee, in addition to the state and local government committee of the senate and the state government committee of the house.

**Senate Status** 02/18/2015 - Referred to Senate State & Local Government Committee.

**House Status** 02/19/2015 - Referred to House State Government Subcommittee.

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### **SB1174 / HB1262 Rutherford County - portable or stationary workhouses.**

**Sponsors** Sen. Bill Ketron / Rep. Rick Womick

**Description** Exempts Rutherford County from the statute that authorizes county legislative bodies to establish, construct or maintaining portable, movable, or stationary workhouses.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 04/06/2015 - Withdrawn in House.

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### **SB1176 / HB881 Satellite-based supervision - parolees convicted of child sex offense.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Mary Littleton

**Description** Requires the board of parole to order any person convicted of rape of a child, aggravated rape of a child, or a child sexual predator offense to enroll in a satellite-based monitoring and supervision program for the entire time the person is on parole.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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## Criminal Law - 78

### **SB16 / HB275 Addition of TBI agents - training regarding human trafficking.**

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**Sponsors** Sen. Bill Ketron / Rep. Charles M. Sargent

**Description** Authorizes TBI to employ four additional special agents for the purpose of training other officers and government officials who are directly involved with human trafficking, including the investigation and intake of human trafficking complaints. Directs TBI to develop and provide a course of instruction to other officers and departments in the recognition, detection, and prosecution of human trafficking cases and requires TBI to have the course implemented by January 1, 2016.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB30 / HB45 Aggravated vehicular homicide - serving sentence imposed.**

**Sponsors** Sen. Doug Overbey / Rep. Dale Carr

**Description** Requires a person who commits aggravated vehicular homicide on or after July 1, 2015, to serve 85 percent of the sentence imposed before becoming eligible for release. Provides that no sentence reduction credits shall reduce below 70 percent the percentage of sentence the person must serve before becoming eligible.

**Amendment** House Criminal Justice Committee amendment 1, Senate Judiciary Committee Amendment 1 (003581) requires a person who commits aggravated vehicular homicide on or after July 1, 2015, to serve 60 percent of the sentence imposed before becoming eligible for release. Provides that no sentence reduction credits shall reduce below 45 percent the percentage of sentence the person must serve before becoming eligible.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**SB35 / HB576 Vehicular homicide involving alcohol - no probation.**

**Sponsors** Sen. Doug Overbey / Rep. Dale Carr

**Description** Establishes that a person who commits vehicular homicide where alcohol was involved may not be eligible for probation.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB39 / HB1191 Prohibits law enforcement from owning or using military vehicles.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Karen D. Camper

**Description** Prohibits state and local law enforcement agencies from owning or using certain military vehicles, aircraft, or military weaponry for law enforcement purposes. Requires the divestiture or destruction of such vehicles, aircraft, or weaponry by the law enforcement agency prior to January 1, 2016.

**Senate Status** 01/17/2015 - Referred to Senate Judiciary Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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**SB43 / HB268 Allow electronic interception for crimes involving human trafficking.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jim Coley

**Description** Adds offenses of human trafficking, promoting prostitution, and kidnapping to the list of crimes eligible for the interception of wire, oral, or electronic communications for evidence.

**Amendment** Senate amendment 1, House Civil Justice Committee amendment 1 (003509) deletes all language after the enacting clause. Broadens the list of crimes for which a judge may grant the interception of electronic communications for evidence to include the commissions of trafficking a person for a commercial sex act.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 04/07/2015 - House Civil Justice Committee recommended with amendment 1 (003509).  
Sent to House Criminal Justice Committee.

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**SB45 / HB39 Sale of products containing dextromethorphan to minors.**

**Sponsors** Sen. Ferrell Haile / Rep. William G. Lamberth

**Description** Creates an offense for the retail sale of products containing dextromethorphan to persons who are under the age of 18 or for the purchase of such products by persons who are under the age of 18; provided that the purchaser is not an emancipated minor. Provides that the violation of selling such products to a minor is a Class B misdemeanor, punishable by a minimum of: (A) A \$100 fine upon a first offense; or (B) A \$500 fine upon a second or subsequent offense. A violation of purchasing such products by a minor is a delinquent act. Requires valid government-issued photo identification proving the purchaser is at least 18 years of age as a condition of sale for products containing dextromethorphan. Establishes that this act shall preempt any local ordinance regulating the retail sale of dextromethorphan enacted by a local government entity of this state, and such products shall not be subject to further regulation by such entities. Clarifies that this act does not apply to product containing dextromethorphan if they are sold with a valid prescription.

**Amendment** SENATE AMENDMENT 1 (003705) rewrites the bill. Clarifies persons that may be found in violation of this section. Requires training before penalty can be assessed. Changes the criminal penalty to a civil penalty.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB70 / HB481 No criminal liability for storing firearm on school property.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Judd Matheny

**Description** Clarifies that it is not an offense for a person to transport and properly store a firearm in a motor vehicle parked on school property.

**Amendment** Senate Judiciary Committee amendment 1 (001925) permits a valid handgun carry permit holder to transport and store a firearm or firearm ammunition, onto property owned, used, or operated by a school. Prohibits a public post-secondary institution from taking any adverse or disciplinary action against an employee or student of the institution who transports or stores a firearm or firearm ammunition while on or using a parking area located on property owned, used, or operated by the institution.

**Senate Status** 03/10/2015 - Senate Judiciary Committee recommended with amendment 1 (001925). Sent to Senate Calendar Committee.

**House Status** 03/18/2015 - Failed in House Civil Justice Subcommittee.

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**SB74 / HB64 Creation of safety-related information for DCS.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Authorizes the department of children's services to create a system for reporting safety-related information. Establishes that the identities of individuals, participating in the reporting system, be held confidentially and not subject to discovery or entered into evidence in any civil proceeding. Authorizes disclosure, of participating individual's identities, only as necessary to carry out the purposes of the reporting system. Part of Administration Package.

**Amendment** Senate amendment 1 (003661) clarifies the reporting system is for use by DCS to allow the reporting of safety concerns regarding those served by DCS and the department's employees.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

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**House Status** 03/19/2015 - House passed.  
**Executive Status** 04/02/2015 - Enacted as Public Chapter 0021 effective March 27, 2015.  
**Public Chapter** PC21

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**SB111 / HB100 Weight of immediate methamphetamine precursors.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Revises the limit calculation on the sale of immediate methamphetamine precursors to be based on the overall weight of the product containing ephedrine, pseudoephedrine, or their salts, isomers, or salts of isomers. Part of Administration Package.

**Amendment** Senate amendment 1 (003504) rewrites the bill to clarify that the limits provided shall only apply to the amount of ephedrine, pseudoephedrine, or their salts, isomers, or salts of isomers, rather than the to the overall weight of a product containing such substances.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0059 effective April 6, 2015.

**Public Chapter** PC59

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**SB139 / HB497 Broadens the definition of criminal gang offense.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Broadens the definition of "criminal gang offense" for the purpose of sentencing enhancement for crimes committed by a gang or gang member. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB149 / HB173 Carrying weapons on certain properties used by schools.**

**Sponsors** Sen. Mark Green / Rep. Debra Moody

**Description** Removes provision making it illegal to possess a firearm on property used, but not owned or operated, by a school for the administration of any public or private educational institution.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB181 / HB136 Exceptions to the offense of possession of certain firearms.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Categorizes possession of a machine gun, short-barreled rifle or shotgun, or a firearm silencer in compliance with the National Firearms Act as an exception, rather than a defense, to the offense of possession of a machine gun, short-barreled rifle or shotgun, or firearm silencer.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB187 / HB170 Increased sentence for a crime during an emergency or disaster.**

**Sponsors** Sen. Frank Niceley / Rep. Courtney Rogers

**Description** Creates an enhancement factor, by which the defendant's sentence can be increased, if the defendant knowingly committed the offense within the geographical area, and during the time of, an emergency or disaster.

**Amendment** House Criminal Justice Committee Amendment 1 (005668) deletes all language after the enacting clause. Establishes a new enhancement factor for judges to consider when sentencing a person. Allows a judge to enhance a defendant's sentence if he/she committed

the offense during the time period between the occurrence of a declared state of emergency and when the emergency ends or ceases to be a threat to the orderly administration of government. Limits application of the enhancement to theft offenses under Title 39, Chapter 14, Part 1 and only those graded as a Class E felony (\$500-\$1,000).

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1 (004678). Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB280 / HB197 Possession of unlabeled low-THC cannabis oil.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Jeremy Faison

**Description** Allows persons to possess cannabis oil with less than nine-tenths of one percent of THC legally obtained in another state. Creates a Class C misdemeanor offense of possession of unlabeled low-THC cannabis oil without proof it was obtained legally.

**Amendment** House Criminal Justice Committee amendment 1, Senate Judiciary Committee Amendment 1 (003968) rewrites the bill. Requires proof that the person or the person's immediate family member has been diagnosed with intractable seizures by a medical doctor or doctor of osteopathic medicine licensed in Tennessee. HOUSE HEALTH COMMITTEE AMENDMENT 1 (005286) adds epilepsy as a condition for which a person may possess low-THC cannabis oil.

**Senate Status** 03/31/2015 - Senate Judiciary Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB305 / HB270 Human trafficking- changes the number given to a suspected minor.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jim Coley

**Description** Requires a law enforcement officer to provide a minor suspected of prostitution with the telephone number of the Tennessee human trafficking resource center hotline instead of the number to the national hotline.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0067 effective July 1, 2015.

**Public Chapter** PC67

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**SB311 / HB129 Private entities reporting expunged criminal records.**

**Sponsors** Sen. Reginald Tate / Rep. Brenda Gilmore

**Description** Prohibits a private entity that performs criminal background checks from reporting a criminal offense that has been expunged for six months or longer.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB314 / HB274 Possession of handguns in parks and recreational areas.**

**Sponsors** Sen. Joey Hensley / Rep. Tilman Goins

**Description** Removes the authority of local governments to prohibit by resolution the possession of handguns in parks or recreational areas owned or operated by the local government. Exempts persons who are authorized to carry handguns from the offense of carrying or possessing weapons in parks and recreational areas.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/11/2015 - House Civil Justice Subcommittee deferred to last calendar.

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**SB318 / HB287 Scheduling of controlled substances.**

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**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Revises various provisions of law regarding the scheduling of controlled substances and their analogues and derivatives. Revises identifications of drugs categorized in Schedules I–V. (40 pp.) Part of Administration Package.

**Amendment** HOUSE AMENDMENT 1 (003876) adds catchall language deleted by the original bill relative to 25H-NBOMe and any compound structurally derived from 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine structure with substitution in either phenyl ring to any extent. Deletes reference to F-PB-22 still listed in the TCA. F-PB-22 is being moved to Schedule I. Corrects misspelling of hydroxymitragynine. Changes the effective date to July 1, 2015. SENATE AMENDMENT 1 (003806) adds a catchall language deleted by the original bill relative to 25H-NBOMe and any compound structurally derived from dimethoxyphenyl methoxybenzyl ethanamine structure with substitution in either phenyl ring to any extent. Deletes reference to F-PB-22 and moves F-PB-22 to Schedule I. Corrects misspelling of hydroxymitragynine.

**Senate Status** 03/16/2015 - Senate passed with amendment 1.

**House Status** 04/08/2015 - House passed with amendment 1 (003876), which adds catchall language deleted by the original bill relative to 25H-NBOMe and any compound structurally derived from 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine structure with substitution in either phenyl ring to any extent. Deletes reference to F-PB-22 still listed in the TCA. F-PB-22 is being moved to Schedule I. Corrects misspelling of hydroxymitragynine. Changes the effective date to July 1, 2015.

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#### **SB373 / HB269 Prosecution for certain sexual offenses committed against a child.**

**Sponsors** Sen. Bill Ketron / Rep. Jim Coley

**Description** Extends statute of limitations for prosecution of certain sexual offenses committed against children to 25 years after the child turns 18 years old for offenses committed after July 1, 2015.

**Amendment** House Civil Justice Committee amendment 1, Senate amendment 1 (003567) rewrites the bill. Extends the statute of limitations for promoting prostitution to 25 years after the victim becomes 18 years of age.

**Senate Status** 03/23/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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#### **SB374 / HB404 Sale of powdered or crystalline alcohol.**

**Sponsors** Sen. Bill Ketron / Rep. Sheila Butt

**Description** Creates class A misdemeanor offense for sale or offer for sale of powdered or crystalline alcohol for human consumption. Defines certain terms in relation to criminal offense. Specifies certain substances that offense does not apply to.

**Amendment** House State Government Committee amendment 1, Senate amendment 1 (004253) changes the effective date to May 1, 2015.

**Senate Status** 03/12/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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#### **SB399 / HB227 Transfer of child to adult court.**

**Sponsors** Sen. Joey Hensley / Rep. Sheila Butt

**Description** Requires judge to transfer child to adult court if, on or after July 1, 2015 the child is alleged to have engaged in conduct that authorizes transfer to adult court or a criminal gang offense, and the child has a previous adjudication of delinquency for conduct authorizing transfer to adult court or a criminal gang offense. Specifies that transfer to adult court is within judge's discretion if the conduct is a sexual offense, between two minors, with an age

difference of two years or less.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/11/2015 - Referred to House Civil Justice Subcommittee.

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**SB420 / HB258 Report to comptroller on funds spent on drug education and treatment.**

**Sponsors** Sen. Kerry Roberts / Rep. David Byrd

**Description** Deletes requirement that the governing body of the law enforcement agency responsible for the investigation and arrest that resulted in the drug conviction submit a report to the comptroller on the funds collected and spent on drug education and drug treatment.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/07/2015 - Enacted as Public Chapter 0043 effective March 27, 2015.

**Public Chapter** PC43

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**SB428 / HB217 Revises definition of strangulation.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Sherry Jones

**Description** Amends offense of aggravated assault by deleting requirement of intent to cause bodily injury to another in regards to strangulation. Redefines strangulation as intentionally, knowingly, or recklessly impeding normal bleeding or circulation of the blood by applying pressure to the throat or neck or by blocking the nose and mouth of another person, regardless of whether that conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.

**Amendment** Senate Judiciary Committee, House Criminal Justice Committee amendment 1 (004143) broadens the offense of aggravated assault in which strangulation is involved. Requires an intentional or knowing aggravated assault to only involve strangulation rather than involve strangulation that the assailant performed with the intent to cause bodily injury. Redefines "strangulation" for purposes of aggravated assault to include knowing impedances of someone's breathing or circulation of blood, and blockages of someone's nose and mouth; and would allow for strangulation regardless of whether the conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1 (004143), which broadens the offense of aggravated assault in which strangulation is involved. Requires an intentional or knowing aggravated assault to only involve strangulation rather than involve strangulation that the assailant performed with the intent to cause bodily injury. Redefines "strangulation" for purposes of aggravated assault to include knowing impedances of someone's breathing or circulation of blood, and blockages of someone's nose and mouth; and would allow for strangulation regardless of whether the conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB434 / HB321 Expunged records under certain conditions.**

**Sponsors** Sen. Janice Bowling / Rep. Judd Matheny

**Description** Allows person to have record expunged after being charged, but not convicted, with a misdemeanor or felony if only convicted of a moving or nonmoving traffic offense in relation to the same criminal conduct or episode as charged offense.

**Amendment** Senate amendment 1 (003762) permits expunction of records if someone is charged with a misdemeanor or felony and convicted of a lesser included offense or of an offense related to the same criminal conduct but that offense was a moving or nonmoving traffic offense. Permits a person to receive partial expunction for any public record relating to the person's

arrest, indictment, charging instrument, or disposition for any charge of which that the person is not convicted.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB437 / HB230 Sentence enhancement for theft or robbery of pharmacy.**

**Sponsors** Sen. Ferrell Haile / Rep. David Shepard

**Description** Requires persons convicted of theft and robbery within or on the premises of licensed pharmacy for the purpose of obtaining, selling, delivering, giving, or exchanging controlled substance to serve at least the minimum sentence for the offender's appropriate range of sentence. Enhances maximum possible fines for these crimes.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/17/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB456 / HB134 Transdermal monitoring device as condition of bail agreement.**

**Sponsors** Sen. Mike Bell / Rep. William G. Lamberth

**Description** Establishes that if a person is charged with vehicular assault, vehicular homicide or aggravated vehicular homicide, and has a prior alcohol-related conviction, the use of a transdermal monitoring device is required as a condition of the person's bail agreement. Authorizes possible exception to the transdermal device requirement for persons with legitimate medical reasons. Allows judge to issue a capias for the person's arrest for violation of bond conditions if the person being monitored violates the conditions of release.

**Amendment** Senate Judiciary Committee, House Criminal Justice Committee amendment 1 (003501) makes it a Class B misdemeanor to knowingly tamper with, remove, or vandalize the monitoring device, or to aid and abet someone doing so. Specifies that monitoring agency should notify appropriate court if it becomes aware that the defendant tampered, removed, or vandalized the monitoring device.

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB470 / HB882 Sexual exploitation of a minor.**

**Sponsors** Sen. Mike Bell / Rep. Mary Littleton

**Description** Increases the penalty for sexual exploitation of a minor from a Class D felony to a Class C felony if the state proves the actual identity or age of the minor victim.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB494 / HB694 DA must get 30 day notice of hearing to restore citizenship of felon.**

**Sponsors** Sen. Sara Kyle / Rep. Raumesh Akbari

**Description** Requires district attorneys general, in the district in which a petitioner currently resides and in the district in which the petitioner was convicted, to receive 30 days' notice, instead of 20 days', before a court may hear a petition seeking to restore the citizenship rights of a person convicted of a felony.

**Senate Status** 02/12/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/19/2015 - Referred to House Criminal Justice Subcommittee.

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**SB495 / HB139 Possession of firearm known to be stolen.**

**Sponsors** Sen. Sara Kyle / Rep. Brenda Gilmore

**Description** Creates Class E felony offense for intentionally possessing firearm that person knows or reasonably should know is stolen.

**Senate Status** 03/10/2015 - Senate Judiciary Committee deferred to last calendar.

**House Status** 03/11/2015 - House Civil Justice Subcommittee deferred to last calendar.

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**SB564 Offense of sexual contact with inmates.**

**Sponsors** Sen. Doug Overbey

**Description** Adds the offense of sexual contact with inmates to the definition of "sexual offense" for purposes of the sexual offender registry.

**Senate Status** 02/19/2015 - Withdrawn in Senate.

**House Status** *None*

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**SB565 / HB575 Crimes regarding structure declared unfit for human occupation or use.**

**Sponsors** Sen. Doug Overbey / Rep. Dale Carr

**Description** Creates Class B misdemeanor for violating an order to vacate a structure declared unfit for human occupation or use, and for an owner, manager, or person responsible for a structured declared unfit for human consumption or use to permit or facilitate occupancy of the structure.

**Amendment** Senate Judiciary Committee amendment 1, House amendment 1 (003744) changes the word "permits" to "authorizes."

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1 (003744), which changes the word "permits" to "authorizes. Sent to Senate Calendar Committee.

**House Status** 03/19/2015 - House passed with amendment 1 (003744), which changes the word "permits" to "authorizes."

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**SB586 / HB1340 Use of methamphetamine while pregnant.**

**Sponsors** Sen. Reginald Tate / Rep. Terri Lynn Weaver

**Description** Includes methamphetamine within drugs for which a mother can be prosecuted for assault if her baby is born harmed or addicted to methamphetamine.

**Senate Status** 04/08/2015 - Failed in Senate Judiciary Committee.

**House Status** 04/01/2015 - House Criminal Justice Committee recommended. Sent to House Calendar & Rules.

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**SB593 / HB587 Enhancement factor - robbery of pharmacy under certain conditions.**

**Sponsors** Sen. Ferrell Haile / Rep. David Shepard

**Description** Creates a new sentencing enhancement factor when the defendant committed the offense of robbery, aggravated robbery, or especially aggravated robbery on the premises of a licensed pharmacy in an effort to unlawfully obtain, sell, give, or exchange a controlled substance, controlled substance analogue, or other illegal drug.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB596 / HB923 Creates the offense of aggressive panhandling.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Raumesh Akbari

**Description** Prohibits aggressive panhandling by approaching, following, touching, obstructing the path of, or using profane or derogatory language to, person being solicited. Specifies that a first offense is a Class C misdemeanor and a subsequent offense is a Class B misdemeanor.

**Amendment** Senate amendment 1 (003756) deletes provision making it an offense to come within three

feet of a person being solicited. Deletes provision making it an offense to solicit donations while under the influence of alcohol or an illegally used controlled substance. SENATE AMENDMENT 2 (004799) deletes provision that makes the use of profane or derogatory language toward a person being solicited punishable as aggressive panhandling.

**Senate Status** 03/23/2015 - Senate passed with amendments 1 & 2.

**House Status** 04/01/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to governor.

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**SB599 / HB534 Clarifies the definition of "violent juvenile sexual offender."**

**Sponsors** Sen. Brian K. Kelsey / Rep. John B. Holsclaw, Jr.

**Description** Clarifies the definition of "violent juvenile sexual offender" to apply when the offender is between the ages of 14 and 18 when the qualifying act is committed.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB610 / HB41 Prohibits the waiving of the 12 hour jail period for domestic abusers.**

**Sponsors** Sen. Steven Dickerson / Rep. William G. Lamberth

**Description** Removes provisions allowing judges or magistrates to waive the current 12-hour period during which a defendant charged with a domestic violence offense or an elder abuse offense cannot be released on bail.

**Amendment** House amendment 1 (003697) preserves judicial discretion in waiving the 12 hour jail period for domestic abuses subject to certain conditions. SENATE AMENDMENT 1 (004179) specifies that a defendant charged with a domestic violence offense or elder abuse offense cannot be released before the mandatory 12-hour hold period unless certain circumstances are met and requires judge to make written findings supporting the decision to hold or release. Requires judge to attempt to contact victim regarding the decision. SENATE AMENDMENT 2 (005689) removes being uncommunicative as reason to hold defendant.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 & 2. Amendment 1 (004179) specifies that a defendant charged with a domestic violence offense or elder abuse offense cannot be released before the mandatory 12-hour hold period unless certain circumstances are met and requires judge to make written findings supporting the decision to hold or release. Requires judge to attempt to contact victim regarding the decision. Amendment 2 (005689) clarifies that the defendant making belligerent, unremorseful, or threatening statements to a magistrate is a reason for which a defendant may be held.

**House Status** 03/26/2015 - House passed with amendment 1.

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**SB628 / HB320 Handgun carry permit holders - may carry guns like law enforcement.**

**Sponsors** Sen. Paul Bailey / Rep. Judd Matheny

**Description** Specifies that valid handgun carry permit holders have the same rights, privileges, and prohibitions regarding the carrying of firearms, as permitted by state law, of any law enforcement officer who is not engaged in the actual discharge of official duties.

**Senate Status** 03/10/2015 - Senate Judiciary Committee deferred to last calendar.

**House Status** 03/11/2015 - House Civil Justice Subcommittee deferred to last calendar.

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**SB637 / HB203 Authorizes confinement as condition of judicial diversion.**

**Sponsors** Sen. Jack Johnson / Rep. Jeremy Durham

**Description** Authorizes court to order a qualified defendant to serve up to 11 months, 29 days in confinement as a reasonable condition of judicial diversion. Allows confinement to be served by split confinement or periodic confinement. Broadly captioned.

**Amendment** House Criminal Justice Committee amendment 1 (005802) shortens the time period from 11 months, 29 days to 90 days.

**Senate Status** 04/08/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB638 / HB843 Enacts "Neighborhood Protection Act."**

**Sponsors** Sen. Jack Johnson / Rep. Antonio Parkinson

**Description** Authorizes organized residential entities recognized by state or local law with defined boundaries referenced in the entity's residential charter to seek an injunction or restraining order prohibiting certain offenders from entering the boundaries of the residential area. Sets forth criteria for which an injunction or restraining order may be sought. Specifies that injunction or restraining order is effective for 1 year, unless dissolved or modified by court, and may be renewed upon motion by residential entity to which it was granted.

**Amendment** House Criminal Justice Committee amendment 1 (004307) includes delivering or selling a controlled substance, criminal gang activity, prostitution, theft, if the value of the property or services obtained exceeds \$500, and vandalism to the list of activities that a neighborhood association or similarly organized residential entity may seek an injunction or residential order against under this bill.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendments 1 and 2. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB642 / HB623 Revoking defendant's bond not allowed in certain circumstances.**

**Sponsors** Sen. Todd Gardenhire / Rep. Andrew Farmer

**Description** Deletes provision allowing a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial.

**Amendment** Senate amendment 1, House Criminal Justice Committee amendment 1 (004057) rewrites the bill to provide that a court may revoke and terminate a defendant's bond if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial, but a court may not order the defendant held without bail pending trial or without release during trial. Establishes that if the bond is revoked and terminated in such a case, the magistrate or judge shall conduct a new hearing to set a new bail.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 03/25/2015 - House Criminal Justice Committee recommended with amendment 1 (004057). Sent to House Calendar & Rules.

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**SB661 / HB560 Drug paraphernalia - ingestible or inhalable substances.**

**Sponsors** Sen. Sara Kyle / Rep. Sherry Jones

**Description** Removes marijuana from list of ingestible or inhalable substances for which object can be designated as drug paraphernalia. Broadly captioned.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/18/2015 - Referred to House Criminal Justice Subcommittee.

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**SB677 / HB661 Additional conditions of release or bail for certain defendants.**

**Sponsors** Sen. Todd Gardenhire / Rep. Mike Carter

**Description** Prohibits person charged with abuse, neglect, or endangerment, or aggravated abuse, neglect or endangerment, of a child from being released within 12 hours of arrest if it is

determined that offender is a threat to alleged victim, unless sufficient time has elapsed to protect the victim. Requires written findings to be preserved in record and attached to warrant.

**Amendment** Senate Judiciary Committee, House amendment 1 (003848) removes this bill's provision whereby a person arrested for child abuse, child neglect or child endangerment, aggravated child neglect, or aggravated child endangerment would be held for 12 hours following arrest.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1 (003848). Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House passed with amendment 1 (003848), which removes this bill's provision whereby a person arrested for child abuse, child neglect or child endangerment, aggravated child neglect, or aggravated child endangerment would be held for 12 hours following arrest.

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#### **SB679 / HB810 Restrictions on sexual offenders.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Mary Littleton

**Description** Prohibits a sexual offender or violent sexual offender from being alone in a private area with a minor or minors. Defines "alone with" and "private area" for the purpose of the prohibition. Authorizes registration agency, and law enforcement agency with whom offender verified registration, to return required registration information to TBI headquarters by electronic means, as well as by the United States postal service. Defines "social media" for purpose of restrictions on sexual offenders. Requires that, in addition to providing information on offender's email address, offender must provide access and profile information on any social media account or other internet communication platforms or devices that offender uses or intends to use.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1 (005923) as amended, which excludes offenders living with their children from the applicability of this law and deletes the references to the offender having to report passwords to social media accounts. Sent to Senate Calendar Committee.

**House Status** 04/06/2015 - House passed.

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#### **SB798 / HB1286 Obstructing a highway or other passageway.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Makes various changes to the crime of obstructing a highway or other passageway. Prohibits the obstruction of a driveway to which the public has access. Broadens the crime by allowing a person to be charged when obstructing private property. Broadly captioned.

**Amendment** Senate Judiciary Committee amendment 1 (005980) deletes the provision that added language to the definition of "obstruct" to restrict passage with the intent to harass, and removes the provision which allowed individuals in Williamson County the ability to claim affirmative defense to obstructing violations.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1 (005980). Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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#### **SB800 / HB827 Clarifies the word "detainer."**

**Sponsors** Sen. Todd Gardenhire / Rep. William G. Lamberth

**Description** Clarifies definition of "detainer" for the purpose of the section as any means of requesting a defendant be returned to the jurisdiction, including, but not limited to, a detainer, habeas corpus, or extradition. Authorizes collection of a bond forfeiture within five years from the date the defendant failed to appear, or the date of the last activity in the case, which is

earlier.

**Senate Status** 04/01/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB832 / HB1160 Eliminates certain defense to criminal trespass.**

**Sponsors** Sen. Ken Yager / Rep. Bob Ramsey

**Description** Provides that the defense to prosecution for criminal trespass that the person believed entry was permitted, did not interfere with owner's use of property, and promptly left when asked, is not available for offense of criminal trespass by a person age 18 to 21 in a licensed retail package store.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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**SB833 / HB838 Assault on correctional officers.**

**Sponsors** Sen. Ken Yager / Rep. John Mark Windle

**Description** Adds correctional officers to the group of public servants who may be a victim of aggravated assault who are discharging or attempting to discharge their official duties.

**Amendment** Senate Judiciary Committee amendment 1, House Amendment 1 (005241) deletes all language after the enacting clause. Requires a court to order restitution in aggravated assault cases when the victim is a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse and the offender is an inmate. Requires at least 50 percent of the restitution to come from the inmate's commissary account or similar account. Authorizes a judge to order 100 percent of the restitution to come from the inmate's commissary or similar account.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1 (005241). Sent to Senate Calendar Committee.

**House Status** 04/06/2015 - House passed with amendment 1 (005241), which deletes all language after the enacting clause. Requires a court to order restitution in aggravated assault cases when the victim is a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse and the offender is an inmate. Requires at least 50 percent of the restitution to come from the inmate's commissary account or similar account. Authorizes a judge to order 100 percent of the restitution to come from the inmate's commissary or similar account.

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**SB841 / HB771 Prohibits prosecution for drug crimes under certain circumstances.**

**Sponsors** Sen. Ken Yager / Rep. Bill Dunn

**Description** Prohibits prosecution for drug-related crimes if the prosecution is based on evidence acquired as a result of a person obtaining emergency medical assistance for another person, or oneself, who is experiencing a drug-related overdose if the person cooperated with medical, emergency responder and law enforcement personnel. Specifies that limited immunity from prosecution does not extend to evidence acquired as a result of probable cause or reasonable suspicion based on information obtained prior to, independent of, the person obtaining emergency medical assistance.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB853 / HB880 Requires certain people to register as sex offenders.**

**Sponsors** Sen. Doug Overbey / Rep. Mary Littleton

**Description** Requires persons convicted of sexual contact with inmates to register as a sexual offender.



Allows such persons to petition for termination of registration as a sexual offender three years after termination of active supervision on probation, parole, or another alternative to incarceration, or three years after discharge from incarceration without supervision. Broadly captioned.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB866 / HB713 Submitting of demographic data on stops to the TBI.**

**Sponsors** Sen. Sara Kyle / Rep. Brenda Gilmore

**Description** Requires each state, county, and municipal law enforcement agency to collect and submit demographic data to the TBI on any person who is stopped by an officer employed by the agency. Provides that the data shall include information on the race of any person who is subject to a traffic stop, a halt at a roadblock, a search, stop and frisk, or an arrest. Requires the TBI to compile and submit a report on the data to the general assembly and the governor on January 1 annually.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/19/2015 - Referred to House Criminal Justice Subcommittee.

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**SB868 / HB712 Law enforcement officers to wear wide angle body cameras.**

**Sponsors** Sen. Sara Kyle / Rep. Brenda Gilmore

**Description** Requires law enforcement officers to wear wide angle body cameras to record the officers' activities at all time while officers are on duty. Defines law enforcement officer for the purpose of this requirement. Specifies how the video recordings can be used, when and for how long they need to be stored, and how the implementation of this requirement will be funded.

**Senate Status** 04/08/2015 - Senate Judiciary Committee deferred to summer study.

**House Status** 03/25/2015 - House State Government Subcommittee deferred to summer study.

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**SB924 / HB959 No prosecution for possession of drug paraphernalia in certain cases.**

**Sponsors** Sen. Kerry Roberts / Rep. David B. Hawk

**Description** Grants immunity from prosecution for possession of drug paraphernalia for possessing a hypodermic needle or other sharp object if the person alerts a law enforcement officer to the presence of the hypodermic needle or other sharp object on the person, the person's premises, or in the person's vehicle prior to being searched. Clarifies that this immunity from prosecution does not apply to any other drug paraphernalia that may be found during the search.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0077 effective July 1, 2015.

**Public Chapter** PC77

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**SB932 / HB1173 Illegal drugs - additional synthetic cannabinoids.**

**Sponsors** Sen. Janice Bowling / Rep. Dawn White

**Description** Adds certain synthetic cannabinoids to the list for which it is an offense to knowingly produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute.

**Amendment** House Criminal Justice Committee amendment 1, Senate amendment 1 (004365) adds naphthalenylindolecarboxylates to the list of synthetic cannabinoids for which it is an offense to knowingly produce, manufacture, distribute, possess, or possess with the intent

to produce, manufacture, or distribute.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (004365) adds naphthalenylindolecarboxylates to the list of synthetic cannabinoids for which it is an offense to knowingly produce, manufacture, distribute, possess, or possess with the intent to produce, manufacture, or distribute.

**House Status** 04/08/2015 - House Health Committee recommended. Sent to House Calendar & Rules.

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**SB942 / HB1009 Enhanced assault - correctional officer as victim.**

**Sponsors** Sen. Ken Yager / Rep. John Mark Windle

**Description** Broadens the definition of aggravated assault to include a person who: (1) is serving a sentence of incarceration, or is under probation or parole; (2) commits assault against a correctional officer, guard, jailer or other full-time employee of a jail or workhouse; and (3) has been disciplined or convicted of assaulting any such employees on two or more prior instances. Provides that such an offense shall be a Class E felony.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB981 / HB1239 Creates procedure for the collection of sexual assault evidence kits.**

**Sponsors** Sen. Mark S. Norris / Rep. Larry J. Miller

**Description** Defines key terms regarding the medical examination and collection of evidence from the person of a sexual assault victim. Specifies procedures for collecting evidence for sexual assault evidence kits or hold kits, and under what circumstances the resulting evidence may be submitted for testing. Directs domestic violence state coordinating council to create a model policy for responding to reports of sexual offenses and distribute it to law enforcement agencies likely to encounter reports of sexual offenses. Specifies that law enforcement agencies likely to encounter reports of sexual offenses must establish written procedures for responding to reports of sexual assault that have the same or higher standards than the model policy developed by the council.

**Amendment** House Criminal Justice Committee, Senate Judiciary amendment 1 (004682) Deletes all language after the enacting clause. Requires a victim of a sexually oriented crime who has submitted to a forensic medical examination to give written consent prior to the respective health care provider releasing a sexual assault evidence kit (SAK) or hold kit to a law enforcement agency. Defines "hold kit," specifies when one should be collected, how long it should be stored, how it should be identified, what information the healthcare provider should give to the victim and the law enforcement agency about the hold kit. Specifies under what circumstances a hold kit may be submitted to TBI or to a similar laboratory for testing. Specifies that within 60 days from consent being provided by the victim, the healthcare provider or law enforcement agency, as applicable, must submit kits to TBI or a similar laboratory for either serology or Deoxyribonucleic acid (DNA) testing. Prohibits submission of a kit without consent of the victim. Requires the State Domestic Violence Coordinating Council (DVCC) to create a model policy for law enforcement agencies for responding to reports of sexual offenses. Specifies that such policy must include guidelines for law enforcement personnel on investigating such reports, providing assistance to victims, collaborating with victim advocates, healthcare providers, and victim services agencies, and collecting, storing, and submitting SAKs to TBI or similar laboratories for testing. Requires the policy be distributed to all law enforcement agencies that are likely to encounter reports of sexual offenses on or before January 1, 2016. Requires any such law enforcement agencies to establish written policies and procedures on responding to reports of sexual offenses. Specifies that a law enforcement agency may adopt the model policy

provided by the DVCC, but authorizes it to adopt its own policy; provided, any policy created by a law enforcement agency must include the same or higher standards than the DVCC model. Requires the model created by a law enforcement agency to be adopted on or before July 1, 2016.

**Senate Status** 04/08/2015 - Senate deferred to 04/13/15.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB993 / HB1229 Creates offense for compelling a person to become a gang member.**

**Sponsors** Sen. Mark S. Norris / Rep. Joe Towns Jr.

**Description** Prohibits a person from intentionally inducing, commanding, compelling, or causing through use of threats or violence, another person to become a gang member. Authorizes prosecution for this offense regardless of whether person induced to be a gang member was convicted for a criminal gang offense. Specifies that a first or second offense is a Class B misdemeanor, and a third or subsequent offense is a Class A misdemeanor.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - House Criminal Justice Subcommittee deferred to summer study.

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**SB1024 / HB962 Minors attending illegal animal fights.**

**Sponsors** Sen. Bill Ketron / Rep. Jon Lundberg

**Description** Creates Class A misdemeanor for a person knowingly causing a minor to attend an animal fight that carries a minimum fine of \$1000 and a maximum fine of \$2500. Increases second or subsequent conviction for involvement in a cockfight to a Class E felony. Increase penalty for offense of being a spectator at an animal fight to a Class A misdemeanor. Clarifies that the possession of cocks for the purpose of selling or transporting them to a location where possession of cocks is legal must be in accordance with state and federal law.

**Amendment** House Criminal Justice Committee amendment 1, Senate amendment 1 (005199) deletes the provision that makes a second or subsequent conviction for cock fighting a Class E felony.

**Senate Status** 03/30/2015 - Senate passed with amendment 1 (005199).

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB1076 / HB596 Unlawful transfer of firearm to minor or intoxicated person.**

**Sponsors** Sen. Lee Harris / Rep. Antonio Parkinson

**Description** Requires that person convicted of the unlawful sale, gift or loan of a firearm to, a minor, intoxicated individual, or person prohibited by law from possessing a firearm be held criminally responsible for any crime that occurs as a result of the use of the firearm. Requires person to serve the entire sentence without parole.

**Amendment** House Criminal Justice Committee amendment 1 (003003) rewrites the bill application of the offense to firearms unlawfully sold, loaned, or gifted to intoxicated persons. It also restricts criminal responsibility to offenses in which the juvenile unlawfully receiving the firearm commits the offense before his eighteenth birthday; the unlawfully sold, loaned, or gifted firearm was used in the offense; and the person unlawfully selling, loaning, or gifting the firearm knew or should have known the juvenile would use the firearm unlawfully to commit an offense.

**Senate Status** 04/08/2015 - Failed in Senate Judiciary Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB1084 / HB1225 Annual TBI report on crime to contain demographic data.**

**Sponsors** Sen. Lee Harris / Rep. Joe Towns Jr.

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**Description** Requires the annual TBI report on crime to include demographic data, including the percentage of suspects, victims, and convicted offenders based on race, gender, age, nationality, and any other appropriate demographic data determined by the director of TBI.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB1137 / HB750 Destruction of records after expunction.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Requires certain expunged records to be destroyed. Specifies that once certain records are expunged they cannot be the basis of any adverse effects, and that the person is restored to the status occupied prior to the arrest, indictment, presentment, information, trial, or conviction that was expunged. Deletes provisions that would be redundant in light of new section. Specifies that filing fee for a petition of expunction of multiple convictions is \$350. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to 2016.

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**SB1156 / HB401 Vehicle homicide involving alcohol - ineligible for probation.**

**Sponsors** Sen. Mark S. Norris / Rep. G.A. Hardaway

**Description** Provides that a person convicted of vehicular homicide involving driver intoxication is not eligible for probation.

**Senate Status** 03/17/2015 - Senate Judiciary Committee deferred to last calendar.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB1171 / HB995 Handgun carry permit allowed in parks and recreation areas.**

**Sponsors** Sen. John Stevens / Rep. Michael Harrison

**Description** Permits person with a handgun carry permit to carry a firearm in any park, natural area, nature trail, or other similar public place owned or operated by the state, county, municipality, or instrumentality. Deletes provision allowing local governments to prohibit carrying a firearm in parks by resolution or ordinance. Deletes provision requiring signage informing the public of prohibitions on carrying firearms in public places.

**Amendment** House amendment 1 (004275) deletes all language of the original bill. Authorizes handgun carry permit-holders to carry handguns within any public park, natural area, historic park, nature trail, campground, forest, greenway, or waterway or other similar public place, including any buildings located within or on those areas, that is owned or operated by state or local government. Removes from statute provisions related to required signage indicating the penalty for the unlawful carrying of a handgun in such areas. Removes the authority of local governments to prohibit by resolution the possession of handguns by valid handgun carry permit holders in parks or recreational areas owned or operate by the local government. Removes from statute provisions related to the replacement of, or the changing of, existing signage indicating that firearms are prohibited. Prohibits the carrying of explosives, explosive weapons, permanently disabled firearms, hoax devices, imitation Firearms machete, or swords openly within 150 feet of a school. Creates a Class A misdemeanor for any such offense. Prohibits any state department to change, remove, or replace signs as a result of this act prior to the time the signs are regularly scheduled to be changed, replaced, or removed, or are required to be changed, replaced, or removed by any other law, or due to destruction or theft; provided that the General Assembly may specifically provide funds for the purpose of removing or replacing signs in the general appropriations act. SENATE AMENDMENT 2 (005732) establishes that a handgun carry

permit holder shall not be prohibited from possessing a handgun on the grounds of the state capitol or the surrounding capitol complex.

**Senate Status** 04/01/2015 - Senate passed with amendment 2.

**House Status** 04/06/2015 - House non-concurred in Senate amendment 2 (005732), which establishes that a handgun carry permit holder shall not be prohibited from possessing a handgun on the grounds of the state capitol or the surrounding complex.

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**SB1182 / HB580 Human trafficking task force administratively attached to TBI.**

**Sponsors** Sen. Rusty Crowe / Rep. Jim Coley

**Description** Requires the human trafficking task force to be administratively attached to the Tennessee bureau of investigation.

**Amendment** House amendment 1 (003694) deletes all language after the enacting clause. Effectively renames the HTTF as the Human Trafficking Advisory Council (HTAC) and attaches the HTAC to the TBI. SENATE JUDICIARY COMMITTEE AMENDMENT 2 (005615) requires council to convene once a year to discuss legislation.

**Senate Status** 04/08/2015 - Senate passed with amendment 1 (005615), which requires council to convene once a year to discuss legislation.

**House Status** 03/16/2015 - House passed with amendment 1.

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**SB1186 / HB581 Felony offense of trafficking for commercial sex acts.**

**Sponsors** Sen. Rusty Crowe / Rep. Jim Coley

**Description** Increases age from under 15 to under 18 for a Class A felony offense of trafficking for commercial sex acts. Creates affirmative defenses to prosecution for a defendant that is a victim of the violation, and where offense is committed because a person has created in the defendant a reasonable apprehension that serious bodily harm would be inflicted on the defendant, a member of the defendant's family, or a close associate. Specifies circumstances that are not defenses to conviction. Requires person convicted of offense against a minor is sentenced as no lower than a Range II offender.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/03/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB1189 / HB1252 Handheld vaporizers and vape pens may be drug paraphernalia.**

**Sponsors** Sen. Mae Beavers / Rep. Mike Sparks

**Description** Specifies that objects used or intended for use in introducing marijuana concentrates and oil into the human body can be drug paraphernalia. Clarifies and that concentrates and oils are included in the definition of marijuana. Adds vaporizers and vape pens to the list of items that may be considered drug paraphernalia.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Criminal Justice Subcommittee.

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**SB1197 / HB1343 Penalty for the offense of reckless endangerment.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Terri Lynn Weaver

**Description** Makes the penalty for the offense of reckless endangerment a Class D felony if the victim of the offense is eight years of age or younger. Broadly captioned.

**Amendment** House Criminal Justice Committee amendment 1 (003915) deletes Section 1 of the bill. Creates a new Class D felony for reckless endangerment when committed by a parent, relative, guardian, or person having the duty of caring for a child who permits or fails to adequately and safely supervise, or who is unaware of the whereabouts of, a child eight years of age or less.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**SB1211 / HB873 Marijuana possession changes.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Harold Love Jr.

**Description** Removes the offense for a person to distribute a small amount of marijuana not in excess of one-half ounce (14.175 grams). Increases the amount of marijuana, from one-half ounce to one ounce, that a person must possess, casually exchange, or distribute to be considered a criminal offense punishable as a Class C misdemeanor by a \$100 fine for each violation. Revises other provisions regarding marijuana possession.

**Amendment** House Criminal Justice Committee Amendment (005187) deletes all language after the enacting clause. Increases the amount of marijuana that one can possess or casually exchange from one-half ounce to one ounce. Specifies that simple possession and casual exchange of marijuana of one ounce or less is still a Class A misdemeanor. Punishes as a Class A misdemeanor, but by fine only. Repeals Class E felony of third or subsequent violations for simple possession or casual exchange of marijuana under one ounce. Requires community service at a drug or alcohol rehabilitation or treatment center for each person convicted of a third or subsequent violation. Increases from one-half ounce to one ounce the minimum amount of marijuana for which someone can be prosecuted for manufacturing, delivering, selling, or possessing with intent. Authorizes a jury to infer that someone possessing or casually exchanging marijuana in an amount less than one ounce was not possessing or exchanging for the purpose of selling or distributing and is punishable under Tenn. Code Ann. § 39-17-418(d).

**Senate Status** 04/08/2015 - Senate Judiciary Committee deferred to 2016.

**House Status** 04/08/2015 - House Finance Subcommittee deferred to 2016.

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**SB1245 / HB1316 Prohibited weapons within 250 feet of certain schools.**

**Sponsors** Sen. Steven Dickerson / Rep. Harold Love Jr.

**Description** Creates the Class A misdemeanor offense of intentionally carrying an explosive, explosive weapon, firearm, hoax device, imitation firearm, machete, or sword openly within 250 feet of the real property of a public or private preschool, elementary school, middle school, or secondary school with certain exceptions.

**Senate Status** 03/10/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/11/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB1265 / HB583 Required state consent to waive right to preliminary hearing.**

**Sponsors** Sen. Ken Yager / Rep. Jim Coley

**Description** Requires a defendant in a criminal case to have consent of the state before waiving right to preliminary hearing. Broadly captioned.

**Amendment** Senate amendment 1, House Criminal Justice Committee amendment 1 (005713) prohibits a preliminary hearing from being waived by a defendant if the State makes a timely objection for good cause shown.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (005713) prohibits a preliminary hearing from being waived by a defendant if the state makes a timely objection for good cause shown.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB1272 / HB1260 Prosecuting interference with operations of ticket sellers.**

**Sponsors** Sen. Ken Yager / Rep. Barry Doss

**Description** Specifies that a district attorney general may prosecute an alleged violation of interference with operations of ticket sellers in any county where the offense occurs.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Business & Utilities Subcommittee.

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**SB1315 / HB42 Mandatory sentence requirements for vehicular assault.**

**Sponsors** Sen. Randy McNally / Rep. William G. Lamberth

**Description** Establishes minimum sentence requirements for persons convicted of vehicular assault or vehicular homicide as a result of intoxication. Provides that for a first time offense, a mandatory minimum sentence of 48 consecutive hours of incarceration must be imposed. If the person has one prior conviction for an alcohol-related offense, a mandatory minimum sentence of 45 consecutive days of incarceration must be imposed; a minimum of 120 consecutive days for two prior convictions; and a minimum of 150 consecutive days for three or more prior convictions. Provides that such persons shall not be eligible for release on probation until the entire minimum sentence has been served.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB1316 / HB120 Creation of Class C felony offense of aggravated vehicular assault.**

**Sponsors** Sen. Randy McNally / Rep. William G. Lamberth

**Description** Creates Class C felony of aggravated vehicular assault. Defines aggravated vehicular assault as vehicular assault with certain aggravating factors, such as certain prior convictions for alcohol related offenses and high blood alcohol concentration. Imposes a fine of not less than \$5,000 and no more than \$15,000 for violation of said felony.

**Senate Status** 04/08/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 03/11/2015 - House General Subcommittee of Finance placed behind the budget.

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**SB1327 / HB1203 Certain first degree murder convictions - serve 100 percent.**

**Sponsors** Sen. Randy McNally / Rep. John Ragan

**Description** Requires a person sentenced to life imprisonment for first degree murder to serve 100 percent of the sentence imposed by the court if the court finds that the murder involved torture beyond that necessary to inflict death or it involved kidnapping the victim and the person was never charged with kidnapping. Requires court to conduct a hearing in which state must prove existence of circumstances requiring person to serve the whole sentence.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB1364 / HB1317 Eliminates death penalty for first degree murder.**

**Sponsors** Sen. Lee Harris / Rep. Johnnie Turner

**Description** Eliminates the use of the death penalty as a criminal sentence.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB1372 / HB1270 Additional victims receive victims' rights.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Adds victims of domestic assault, violation of an order of protection or restraining order, stalking, and vandalism or false imprisonment of a domestic violence victim to those that are entitled to receive victims' rights. Broadly captioned.

**Amendment** House Civil Justice Committee amendment 1 (004756) makes the bill. Broadens the

Victims' Bill of Rights in Title 40, Chapter 38, Part 1 to include victims of domestic assault, violations of orders of protection or restraining orders, stalking, and domestic victims of vandalism and false imprisonment entitling them to notification of all proceedings and of the release, transfer, or escape of the accused or convicted person.

**Senate Status** 04/08/2015 - Senate Judiciary Committee deferred to 2016.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB1374 / HB1302 Funds from domestic assault fines to be used for GPS monitoring.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Authorizes funds from domestic assault fines to be used to pay for global positioning monitoring for indigent domestic abuse and stalking defendants. Requires bail forms in domestic abuse and stalking cases to indicate if global positioning monitoring was considered as a condition of bail and whether it was imposed.

**Amendment** House Criminal Justice Committee 1 (003834) removes provision that authorizes funds from domestic assault fines to be used to pay for global positioning monitoring for indigent domestic abuse and stalking defendants.

**Senate Status** 03/31/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/31/2015 - Failed in House Civil Justice Committee.

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**SB1376 / HB1244 Creates the offense of unlawful exposure.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Creates the Class A misdemeanor offense of unlawful exposure, which is committed when a person distributes a private image of the intimate parts of another with the intent to cause emotional distress and the depicted person suffers emotional distress

**Senate Status** 04/08/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/23/2015 - House passed.

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**SB1377 / HB578 Drug fraud conviction may be expunged.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Authorizes a person's public records for a conviction of drug fraud to be expunged in certain circumstances.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 03/30/2015 - House passed.

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**Economic Development - 1**

**SB302 / HB1194 Incentives for job creation in tourism districts.**

**Sponsors** Sen. Ken Yager / Rep. John Ragan

**Description** Provides an alternative to employers who wish to qualify for the jobs tax credit against franchise and excise tax but the job for which they are applying the exemption for is not a permanent position with minimum health care. Establishes that in such a case, a majority of the duties that the job entails must involve adventure tourism; the qualified business must be located in an adventure tourism district; and the job position must be: (a) a permanent employment position created on or after June 1, 2011, providing employment in a qualified business enterprise for at least 12 consecutive months for at least 37.5 hours per week, with or without minimum health care; (b) a seasonal employment position, with or without minimum healthcare; or (c) a part-time employment position, with or without minimum healthcare. Stipulates that for a seasonal or part-time position, the employment shall be



counted as half of one job for the purpose of the tax credit.

**Amendment** Senate Finance Revenue Subcommittee amendment 1, House Business & Utilities Committee amendment 1 (004104) allows smaller businesses to obtain similar credit as larger businesses. Defines "part-time employee" as one who works 20 hours a week for 12 consecutive months created on or after July 1, 2014 if such position is to be counted as half of one job for the purposes of the job tax credit. Adds to the definition of "qualified job" a permanent, part-time or seasonal position for purposes of the job tax credit as provided for in the bill.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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## Education - 173

### **SB4 / HB1280 Tennessee standards commission for education.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Billy Spivey

**Description** Establishes the Tennessee Standards Commission for the purpose of recommending curriculum standards to the state board of education (the board) for adoption. Outlines the requirements for the appointment of members, such as requiring appointments from each grand division of the state, the term limits of the members and their confirmation, which must be done through joint resolution of the general assembly. Establishes the criteria that must be considered by the commission for the recommendation of standards. Provides that the proposed standards shall be posted for public review prior to being adopted by the board. As soon as practicable after the initial meeting, the commission is required to recommend changes to the English language arts and mathematics standards in use during the 2014-2015 school year, and shall strive to limit the number of high stakes assessments administered. Further provides that the commission shall make recommendations to the board regarding advanced placements (AP) courses. The board or the department of education is required to cancel any memorandum of understanding with regards to Common Core standards entered into with the National Governor's Association and the Council of Chief State School Officers.

**Senate Status** 04/01/2015 - Taken off notice in Senate Government Operations Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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### **SB5 / HB3 Volunteer state standards for K-12 education.**

**Sponsors** Sen. Jim Tracy / Rep. John Forgety

**Description** Establishes the volunteer state standards. Requires the state board of education to adopt new educational standards for grades K-12 before July 1, 2016. Requires the state board to recruit and select Tennessee public school teachers and faculty from higher education institutions to propose new state educational standards for English and Mathematics. Establishes that the standards review and development committee and advisory teams be comprised of Tennessee teachers, higher education faculty members, and parents of school children. Requires the state board to report its finding before the education committees of the house and senate for review before March 31, 2016.

**Senate Status** 01/17/2015 - Referred to Senate Government Operations Committee.

**House Status** 03/04/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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### **SB7 / HB6 Deadline for Basic Education Program funding.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Harry Brooks

**Description** Requires the fiscal capacity of each LEA, for the purposes of allocating BEP funding, to be

determined by May 1 of the preceding school year. Prohibits the changing or revising of the fiscal capacity once the LEA has determined it.

**Senate Status** 04/09/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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#### **SB8 / HB5 Teacher reemployment after retirement.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Harry Brooks

**Description** Creates an exception permitting a retired high school teacher, whose license has lapsed, to teach for one year without loss of retirement benefits if: 1) the teacher was previously licensed as a high school teacher, 2) the LEA allowed the member's professional license to lapse, and 3) the teacher teaches a subject in which the teacher was licensed. Requires the teacher to meet all other statutory conditions for reemployment as a teacher after retirement. Requires the teacher to renew the member's professional license or certificate if the teacher seeks any additional years after the one year appointment period.

**Senate Status** 03/18/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/03/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

**Executive Status** 03/02/2015 - Taken off notice in Joint Council on Pensions and Insurance.

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#### **SB10 / HB10 U.S. citizenship test requirement for high school graduation.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires that students pass the United States citizenship and immigration services' civics test with a score of at least 60 percent in order to receive a regular high school diploma.

**Amendment** Senate Education Committee amendment 1 (005490) deletes all language of the original bill. Requires students to pass a civics test composed of questions from the federal immigration naturalization test before they graduate high school, beginning in January 2017. Requires local education agencies (LEAs) to prepare a test of at least 25 and no more than 50 questions. LEAs may prepare multiple versions of the test for use at different schools and at different times. Each student shall be given the opportunity to take the test as many times as necessary to receive a passing grade. Defines a passing grade to be at least 70 percent correct. Students who have an Individual Education Program (IEP) are exempt from this requirement. A school whose seniors all pass the test, excluding those that are exempt, shall be recognized on the Department of Education's website as a United States civics all-star school.

**Senate Status** 04/01/2015 - Senate Education Committee recommended with amendment 1 (005490). Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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#### **SB27 / HB138 Individualized Education Act.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Debra Moody

**Description** Enacts the "Individualized Education Act" for eligible special needs students, whereby funds will be provided for them to be educated at nonpublic schools. Provides that a parent of an eligible student will qualify to participate in the individualized education account (IEA) program if the parent signs an agreement promising to provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies and science; and not to enroll the student in a public school and to release the LEA in which the student resides from all obligations to educate the student. Establishes that participation in the program will have the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act. Prohibits funds in an IEA to

be used to purchase computer hardware or other technological devices. Establishes that any funds remaining in a student's IEA upon graduation from high school may be used to take courses from an eligible post-secondary institution. Establishes that the funds in an IEA may only be used for educational purposes. Requires participating schools, post-secondary institutions and education providers that enroll participating students to provide parents with a receipt for all qualifying expenses at the school or institution. Allows the department to deduct an amount up to a limit of three percent from appropriations used to fund IEAs to cover the costs of overseeing the funds and administering the program. Provides that participating schools shall: 1. Comply with all health and safety laws that apply to nonpublic schools; 2. Certify that they will not discriminate against students or applicants on the basis of color, race, or national origin; and 3. Conduct criminal background checks on employees and exclude any person not permitted by the state to work in a nonpublic school or who might reasonably pose a threat to the safety of students. Specifies that participating nonpublic schools and education providers will be given the maximum freedom to provide for the educational needs of their students without governmental control.

**Amendment** Senate Education Committee amendment 1 (004060) creates the "Individualized Education Act". Authorizes parents or guardians of special education students to receive payments into their child's Individual Education Account (IEA) in order to enroll their child in a participating nonpublic school. The maximum amount of funding that a student may be eligible for is the amount of state and local required Basic Education Program (BEP) funding. Sets forth eligibility requirements; terminating events; and how such funding may be used. Sets forth the duties of the Department of Education (DOE) in administering the program. The DOE may collect an administrative fee equal to three percent of the total appropriations used to fund IEAs for expenditures related to administration of the program. For the purposes of enrollment, participating students shall continue to be counted in the enrollment data for their home local education agency (LEA).

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/07/2015 - House Government Operations Committee deferred to 4/14/15.

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#### **SB29 / HB37 Prohibited restraints in special education services.**

**Sponsors** Sen. Joey Hensley / Rep. Bill Dunn

**Description** Prohibits the use of prone restraint on students receiving special education. Defines prone restraint as "restraint in which a student is held face down on the floor or other surface, and physical pressure is applied to the student's body for the purpose of controlling the student's movement."

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/17/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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#### **SB46 / HB40 Adoption in family life curriculum.**

**Sponsors** Sen. Ferrell Haile / Rep. William G. Lamberth

**Description** Includes informing students about the benefit of adoption as a positive option in family life curriculum.

**Amendment** Senate amendment 1 (001744) rewrites the bill to require the family life curriculum to include the process of adoption and its benefits. Requires the State Board of Education (SBE), in conjunction with the Department of Education (DOE), to develop guidelines for the inclusion of such information, as appropriate, in kindergarten through 12th grade. Requires the guidelines to be distributed by the DOE to all LEAs by the beginning of the

2015-2016 academic year.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB51 / HB801 TN Come Back for Your Future scholarship program.**

**Sponsors** Sen. Mark Green / Rep. Joe Pitts

**Description** Establishes the Tennessee Come Back for Your Future scholarship, a temporary program aimed at encouraging students who were in the process of obtaining a baccalaureate or an associate degree, but have not attended any postsecondary institution for at least 12 months, to return and complete their degree. It will be funded with lottery proceeds with a maximum of \$5 million total in aid given for the life time of the program. Declares it will be awarded on a first come, first serve basis, and the scholarship will be for one-half tuition and required fees, but is subject to the amounts appropriated by the general assembly. Specifies specific requirements for applicants to be eligible for the scholarship, including, but not limited to, not meeting any of the ineligibility requirements of the lottery scholarship, and being admitted and enrolled in a public postsecondary institution that offers the degree they are seeking. Requires a student and the institution where the student is enrolled to develop a degree plan specifying the courses that the student must take to obtain the degree, the semesters in which the courses will be offered, and the time required for the student to obtain the degree before the scholarship is awarded. Requires that the institution file a written copy of the degree plan with TSAC immediately after finalizing the plan. Authorizes a student to take an approved medical or personal leave of absence and transfer to another eligible public institution and continue to receive the scholarship provided that the student continues to meet the eligibility requirements. Specifies that if, for any reason, a student ceases to be eligible for the scholarship the student will not be able to regain it, and only students who receive the award for the 2015-2016 year may receive the award afterwards.

**Amendment** House Education Administration and Planning Subcommittee amendment 1, Senate Education Committee Amendment 1 (003135) decreases, from \$5,000,000 to \$1,500,000, the maximum amount of net lottery proceeds that TSAC is authorized to expend for the life of the program. SENATE EDUCATION COMMITTEE AMENDMENT 2 (003741) makes grammatical changes.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB56 / HB800 TN Promise scholarship for members of national guard and military.**

**Sponsors** Sen. Mark Green / Rep. Joe Pitts

**Description** Allows students who are eligible for the Tennessee Promise scholarship, but who cannot enroll in and attend college in the fall semester after completion of high school because of certain military commitments, to enroll in and attend college in the first term beginning after completion of the student's military commitments without loss of Promise scholarship eligibility.

**Senate Status** 02/23/2015 - Senate passed.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**SB57 / HB799 Receipt of TN HOPE scholarship by part-time students.**

**Sponsors** Sen. Mark Green / Rep. Joe Pitts

**Description** Allows a student receiving the Tennessee HOPE scholarship to drop from full-time to part-time status once without medical or personal grounds and without loss of the scholarship,

provided that the student notify TSAC within 14 days of a change of status.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Failed in House Education Administration and Planning Subcommittee for lack of a second.

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**SB61 / HB60 Study committee on transition to free, online textbooks.**

**Sponsors** Sen. Mark Green / Rep. Mike Sparks

**Description** Creates a special joint legislative study committee to evaluate and make recommendations relative to a transition from traditional textbooks for general education courses to open textbooks and course materials by the state institutions of higher education.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB63 / HB1171 Refusal by local board of education to accept federal funding.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Eddie Smith

**Description** Permits a local board of education to refuse to accept federal funding for an education program without a penalty being assessed by a state agency or state official.

**Amendment** Senate Amendment 1 (002929) provides that such funding may be refused without penalty only if refusal of such funding would not cause a loss of federal funding for all participating LEAs in the program. Requires a local board of education notify the department before acting to refuse the funding.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB87 / HB77 Changes references of vocational education in the code.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Changes references in the code from vocational education to career and technical education. Alters other vocational-related terminology in the code. Part of Administration Package.

**Amendment** Senate amendment 1 (003435) makes a technical correction. Defines "career and technical education."

**Senate Status** 02/26/2015 - Senate passed with amendment 1.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0055 effective April 6, 2015.

**Public Chapter** PC55

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**SB88 / HB78 Revises testing schedule for TCAP.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Removes the provision requiring the Tennessee comprehensive assessment program testing to be scheduled during a two-week window by the first Monday on or after April 22, and not prior to the completion of 150 days of instruction; authorizes the commissioner of education to establish a schedule for the testing instead. Part of Administration Package.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/09/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB89 / HB79 Enrollment in charter schools authorized by ASDs.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires charter schools authorized by the achievement school district to conduct an initial student application period of at least 30 days. Allows all students zoned to attend or

currently enrolled in a school that is eligible to be placed in the achievement district to enroll. Allows the charter school to enroll the child of a teacher, staff member, sponsor or member of the governing body at the end of the initial student enrollment period under certain conditions. Prohibits a charter school from enrolling additional students unless the charter school has demonstrated student achievement growth at a level of "at expectations." Part of Administration Package.

**Senate Status** 03/10/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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#### **SB90 Prevents penalty for school system performance at established level.**

**Sponsors** Sen. Mark S. Norris

**Description** Prohibits the penalization of a school system, in measuring performance goals or assessments, that is performing at or above the base requirements as established by the state board of education, whereas before the provision was limited to performance above the base requirements. Requires the LEA to distribute testing information to parents by placing the information in each school's student handbook, or other standard or policy guidebook that contains the policies and procedures of the school and is distributed at least once each school year.

**Senate Status** 01/17/2015 - Referred to Senate Education Committee.

**House Status** *None*

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#### **SB109 / HB98 Annual report to inform high school students about DUI fatalities.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires the commissioner of education to develop advisory guidelines directing LEAs to create an annual report to inform high school students about deaths of persons 18 years or younger caused by car accidents involving a driver 18 years or younger who was under the influence of an intoxicant or drug. Part of Administration Package.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0058 effective July 1, 2015.

**Public Chapter** PC58

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#### **SB118 / HB107 Revisions to TN Promise Scholarship Act.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Make various minor changes to the TN Promise Scholarship Act. Redefines full-time student, gift aid, and semester. Alters provisions concerning enrollment based on the student's academic program and whether the student's medical or personal leave of absence. Part of Administration Package.

**Amendment** Senate amendment 1 (003929) defines an "eligible postsecondary program" as a curriculum of courses leading to a certificate, diploma, or associate degree at an eligible postsecondary institution, and specifies that courses taken at a four-year postsecondary institution prior to admission in, or that fulfill prerequisite requirements for, an eligible postsecondary program shall not be considered part of such a program. Defines a "Tennessee Promise scholarship student" as a student admitted to and enrolled in an eligible postsecondary program. Makes several other technical corrections without making any other substantive changes.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB119 / HB108 Changes to teacher evaluations.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Creates Tennessee Teaching Evaluation Enhancement Act. Adds that an LEA is not required to use student state assessment results as the sole factor in employment decisions. Adjusts percentages regarding student growth data generated by administered assessments used in teacher evaluation criteria. Alters teacher tenure and probation provisions. Part of Administration Package.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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**SB122 / HB210 Tennessee Choice and Opportunity Scholarship Act.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Harry Brooks

**Description** Establishes a scholarship program for eligible students to attend participating private K-12 schools. An "eligible student" is a student who: (1) Resides in Tennessee and is zoned to attend or enrolled in a public school that is identified as being in the bottom five percent of schools in overall achievement; (2) Meets the minimum age requirements to attend kindergarten with eligibility extending until the student graduates from high school, except that the student must be less than 22 years of age by August 15 of each year; (3) Is a member of a household whose annual income during the year prior to initial receipt of a scholarship met the requirements for free or reduced price lunch; and (4) Was previously enrolled in a Tennessee public school during the two semesters preceding the semester in which the student receives the scholarship, is enrolling in a Tennessee school for the first time, or received a scholarship pursuant to this bill in the previous school year. Specifies requirements for private schools to participate in the program, including, but not limited to, being identified as a category I, II or III school, and providing lunch to scholarship students at no cost or at a reduced cost. Details the total number of scholarships that may be awarded for each school year: (1) 5,000 for the 2015-2016; (2) 7,500 for 2016-2017; (3) 10,000 for 2017-2018; and 20,000 for 2018-2019 and thereafter. If a participating school demonstrates achievement growth for scholarship students at a level of "significantly below expectations" for two consecutive years or the department determines the school has failed to comply with this bill, then the commissioner of education may suspend or terminate a school's participation in the program. Provides that if a participating school is suspended or terminated from the program, or if the school otherwise withdraws from the program, scholarship students enrolled at the school may transfer to another participating school without loss of eligibility and such students would be given preference for enrollment. Provides that a local board of education may adopt local qualifications for a scholarship. (12 pp.)

**Amendment** Senate Education Committee Amendment 1 (002359) rewrites the bill to remove all reference to the authorization for LEAs to create their own local option scholarship program.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 02/11/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB142 / HB734 Hiring of teachers for an achievement school district.**

**Sponsors** Sen. Reginald Tate / Rep. Harold Love Jr.

**Description** Requires an achievement school district (ASD), or the entity under contract to operate schools within the ASD, to hire teachers assigned to the school prior to the school's transfer, if the teachers are rated in the two highest categories of teacher evaluations and want to

remain at the school; provided that the ASD, or entity under contract to operate the school, shall not be required to hire such teachers to fill more than 30 percent of the school's teaching positions.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB151 / HB294 Bicycle safety curriculum - proper use and positioning of helmets.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Roger Kane

**Description** Urges the department of education to include the proper use and positioning of bicycle helmets in its pilot bicycle safety curriculum. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB155 / HB116 BEP funding formula - medical insurance premiums for local employees.**

**Sponsors** Sen. Doug Overbey / Rep. Bob Ramsey

**Description** Requires the BEP funding formula to provide funding for 12 months of local education employees' medical insurance premiums.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Committee deferred to summer study.

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**SB159 / HB164 Occupational education licenses.**

**Sponsors** Sen. Jim Tracy / Rep. John Forgety

**Description** Requires a person seeking licensure as an occupational education teacher to successfully complete a teacher education program of nine semester hours, unless the person already met this requirement during their employment as an apprentice. Candidates for licensure must be recommended by a higher education institution with an education program that complies with the standards established by the state board of education.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 03/17/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB182 / HB174 Director of schools - authorization to expel for criminal complaint.**

**Sponsors** Sen. Joey Hensley / Rep. Sheila Butt

**Description** Authorizes the director of schools to expel or remand a student to an alternative school upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against the student. Requires the director of schools to expel a student upon the conviction of a felony or an admission of guilt to that felony delinquency against the student, if the director determines the student's continued presence would have a substantial detrimental effect on the school. Establishes the notice, hearing, and appeal requirements for students expelled or remanded to an alternative school. Specifies that this act does not require an LEA to enroll a student who is expelled or remanded in an LEA in this state or another.

**Amendment** Senate Education Committee amendment 1 (005745) adds to situations in which principals can take certain disciplinary actions upon students. Allows principals to take certain disciplinary measures if a student is legally charged with a felony or convicted of a felony, coupled with the student's continued presence in the school poses a danger to persons or property or disrupts the educational process. Permits the principal of the school or director of schools to determine the appropriate educational assignment for the student released for readmission. HOUSE EDUCATION ADMINISTRATION AND PLANNING



COMMITTEE amendment 1 (006035) provides that relative to the suspension of a student who is legally charged with an offense that would be classified as a felony if the student was charged as an adult or as an adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and whose continued presence at the school poses a danger to persons or property or will disrupt the education process, the principal of the school where such student attends and the director of schools are authorized to determine the appropriate educational assignment for the student once they are released for readmission.

**Senate Status** 04/09/2015 - Senate deferred to final calendar.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB189 / HB157 Charter school may choose insurance for certain employees.**

**Sponsors** Sen. Steven Dickerson / Rep. Glen Casada

**Description** Permits the governing body of a charter school to choose the insurance plans offered to the school's teachers and other full-time permanent employees.

**Senate Status** 04/08/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB202 / HB650 Tennessee's day of prayer over students.**

**Sponsors** Sen. Rusty Crowe / Rep. John B. Holsclaw, Jr.

**Description** Designates the first Thursday in September as Tennessee's day of prayer over students.

**Amendment** House Education Instruction and Programs Committee, Senate amendment 1 (004893) changes the day of prayer to the weekend of prayer. Alters the date to the first weekend in August.

**Senate Status** 04/08/2015 - Senate passed with amendment 1 (004893), which changes the day of prayer to the weekend of prayer. Alters the date to the first weekend in August.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB248 / HB382 Sunset- extends state board of education.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the state board of education to June 30, 2019, and requires the board to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB283 / HB409 Publication of Tennessee Postsecondary Education Fact Book.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Roger Kane

**Description** Requires the Tennessee Postsecondary Education Fact Book to be published annually prior to March 1, instead of March 15. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 03/31/2015 - House Education Instruction and Programs Subcommittee deferred to 2016.

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**SB285 / HB36 Grading policies involving student TCAP scores.**

**Sponsors** Sen. Richard Briggs / Rep. Bill Dunn

**Description** Removes the requirement that local boards of education must include student scores in TCAP subject areas (mathematics, reading/language arts, science and social studies) as a part of the student's grade in that subject area; provides that a local school board may have such a policy if it chooses to do so.

**Amendment** Senate amendment 1 (005744) deletes all language of the original bill. Authorizes a local education agency (LEA) to not include its student's TCAP scores in their final spring semester grades if the TCAP scores are not received by the LEA at least five instructional days before the end of the academic year.

**Senate Status** 04/08/2015 - Senate passed with amendment 1 (005744), which deletes all language of the original bill. Authorizes a local education agency (LEA) to not include its student's TCAP scores in their final spring semester grades if the TCAP scores are not received by the LEA at least five instructional days before the end of the academic year.

**House Status** 03/19/2015 - House passed.

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**SB292 / HB569 Authorizes teachers to remove disruptive students from class.**

**Sponsors** Sen. Dolores R. Gresham / Rep. John J. Deberry Jr.

**Description** Requires each local board of education to adopt a policy for a teacher to remove disruptive students from the classroom. Provides that the policy shall: 1) require a teacher to file a brief report with the principal detailing the disruptive behavior; 2) be kept in a student discipline file; 3) require the teacher to be notified of the actions taken to address the behavior of the removed student; and 4) prohibit a principle from returning a student on the day of removal without the teacher's consent. Establishes that the principal may not return a student to the classroom from which the student was removed following three documented removals without the teacher's consent; provides that such a student may be admitted without the teacher's consent only if the director of schools reviews the record and determines the return to be appropriate.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 04/07/2015 - House Education Administration and Planning Committee deferred to 2016.

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**SB293 / HB473 TN financial literacy commission annual report.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Requires the Tennessee financial literacy commission to post its annual report on the web site of the department of the treasury. Broadly captioned.

**Amendment** House Education Administration & Planning Committee Amendment 1, Senate Education Committee amendment 1 (003975) deletes all language in the original bill. Requires public charter schools authorized by the ASD to conduct an initial student application period of 30 days. During initial enrollment period, enrollment shall be limited to only those students zoned to attend or currently enrolled in a school that is eligible to be placed into the ASD. Authorizes children of staff members and other individuals affiliated with the charter school, and students who failed their proficiency testing in reading, English language arts, or mathematics, to enroll in the public charter school, if the initial capacity of the school, program, class, grade level, or building is not filled at the end of the initial enrollment period. Prohibits the population of students enrolled during the second enrollment period from exceeding 25 percent of the total student population of the public charter school. Prohibits enrollment of additional students that are within the student populations, defined under Tenn. Code Ann. § 49-13-106(b)(1)(C)(ii), (iii), and (iv), until the ASD authorized public charter school has received student achievement growth data that demonstrates growth at a level of "at expectations." Specifies that restriction on enrollment does not apply to students previously enrolled in an ASD authorized public charter school. Authorizes ASD to collect a charter authorizer fee from ASD authorized public charter schools equal to up to three percent of each public charter school's total per pupil allocation from state and local BEP funding.

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate

**SB294 / HB205 Removes definition of "General assembly merit scholarship."**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Deletes the definition of "General assembly merit scholarship" from the lottery scholarship provisions.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 02/11/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB295 / HB168 Pre-kindergarten programs - LEAs to encourage music and art.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Bill Dunn

**Description** Encourages LEAs to incorporate music and art in their pre-kindergarten programs. Broadly Captioned.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 02/11/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB296 / HB285 Updates reference to TN council of private colleges and universities.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Debra Moody

**Description** Removes language in code section pertaining to the teacher training provisions that says "Tennessee council of private colleges and universities" and adds language with correct name of association, which is the "Tennessee independent colleges and universities association." Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 02/11/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB297 / HB204 Allows the dept. of education to post its annual report on website.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Allows the department of education to post its annual report on its web site in lieu of distributing the report to certain persons and entities.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB298 / HB162 Revises list of regional accrediting associations.**

**Sponsors** Sen. Jack Johnson / Rep. Glen Casada

**Description** Updates and revises the lottery scholarship's program's list of regional accrediting associations.

**Amendment** House Education Administration and Planning Subcommittee amendment 1, Senate Education Committee amendment 1 (005623) rewrites the bill. Changes the definition of an eligible independent postsecondary institution for the purposes of receiving a HOPE scholarship to include a private postsecondary institution that has its primary campus domiciled in this state and is accredited by the Association of Biblical Higher Education and a private postsecondary institution that has as its primary campus domiciled in this state and is accredited by the Transnational Association of Christian Colleges and Schools (TRACS).

**Senate Status** 04/01/2015 - Failed in Senate Education Committee after adopting amendment 1 (005623).

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB299 / HB127 State Authorization Reciprocity Agreement Act.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Enacts the "State Authorization Reciprocity Agreement Act," for the purpose of authorizing the state's participation in a state authorization agreement in relation to postsecondary distance education. Authorizes the Tennessee Higher Education Commission to enter into the State authorization reciprocity agreement (SARA), to serve as the portal agency for SARA, and to take other necessary and appropriate measures to facilitate the state's participation in the agreement. Provides that complaints filed against a Tennessee SARA institution governed by the state, by a non-Tennessee student residing in a member state, shall be referred to the board of trustees of the University of Tennessee or the board of regents; specifies that such complaints must be concerning a subject matter under SARA and associated provisions. Establishes that similar complaints filed against Tennessee SARA institutions not governed by the state shall be referred to the Tennessee SARA institution indicated in the complaint; provides that if the complaint cannot be resolved by the appropriate SARA institution, then the complaint shall be transferred to the commission, and the commission may attempt to effectuate a settlement.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**SB300 / HB155 State board of education - grading system for school performance.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Glen Casada

**Description** Requires the state board of education to develop a school grading system that assigns letter grades to schools based on their performance on TCAP tests or end-of-course exams, their effect on student growth as indicated by data from the Tennessee value-added assessment system and other measures of students growth, and other indicators of student achievement. Provides that the department of education shall include the school grades on the state report card.

**Amendment** Senate amendment 1 (005750) rewrites the bill. Directs the state board to develop a school grading system that assigns letter grades to schools based on (1) TCAP performance, (2) student growth as indicated by Tennessee value-added assessment system data or other measures of growth, and (3) other outcome student indicators of student achievement as found to be a reliable measure of school performance by the state board. Requires school grades to be shown on the state report card. Requires implementation to begin with the 2017-2018 academic year. HOUSE EDUCATION ADMINISTRATION & PLANNING COMMITTEE AMENDMENT 1 (005332) deletes and rewrites Section 1, subsection (c), of the original bill such that the only substantive change is to require the school grading system to commence with the 2016-2017 academic year.

**Senate Status** 04/08/2015 - Senate passed with amendment 1 (005750), which rewrites the bill. Directs the state board to develop a school grading system that assigns letter grades to schools based on (1) TCAP performance, (2) student growth as indicated by Tennessee value-added assessment system data or other measures of growth, and (3) other outcome student indicators of student achievement as found to be a reliable measure of school performance by the state board. Requires school grades to be shown on the state report card. Requires implementation to begin with the 2017-2018 academic year..

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB303 / HB1361 Kindergarten eligibility for pre-k students.**

**Sponsors** Sen. Ken Yager / Rep. Kent Calfee

**Description** Authorizes children who participated in a two-year pre-kindergarten program in the 2013-

2014 school year to enter in a kindergarten program in the 2014-2015, or 2015-2016 school years, provided that such children shall be five years of age on or before August 31, 2015.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB333 / HB676 In-state tuition for out-of-state students near Shelby County.**

**Sponsors** Sen. Mark S. Norris / Rep. Mark White

**Description** Permits students at the University of Memphis who are residents of another state in a county lying immediately adjacent to Shelby County or who have residences within 30 miles of the university to attend without paying out-of-state tuition.

**Amendment** Senate Education Committee amendment 1, House Education and Administration Committee amendment 1 (004711) changes the effective date to July 1, 2016.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/07/2015 - House Education Administration and Planning Committee recommended with amendment 1 (004711), which changes the effective date to July 1, 2016. Sent to House Finance.

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**SB334 / HB112 Size of advertisements on school buses.**

**Sponsors** Sen. Ed Jackson / Rep. Jimmy A. Eldridge

**Description** Increases the permissible size of advertisements on school buses from 16 inches high and 60 inches long to 36 inches high and 90 inches long.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB340 / HB267 Allows local school boards to shift funds between budget categories.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Jim Coley

**Description** Authorizes local school boards to shift funds after the local legislative body has approved the school system's budget from one budget category to another without further approval, except for funds specifically appropriated for repair and renovation of school facilities or capital improvements. Requires the local legislative body to be notified of any proposed vote to shift funds ten days prior to a vote for the proposal. Prohibits any such changes to a budget that would violate the requirements of the BEP or other state concerning the funding of education. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Subcommittee deferred to 2016.

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**SB341 / HB23 Revocation of licenses and certificates for misconduct.**

**Sponsors** Sen. Dolores R. Gresham / Rep. John Forgety

**Description** Gives the state board of education the authority to make policies concerning the revocation of licenses and certificates for misconduct.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB343 / HB398 Extends date of repeal - Virtual Public Schools Act.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Extends the date of the repeal of the Virtual Public Schools Act from June 30, 2015, to June 30, 2019.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 04/02/2015 - House passed.

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**Executive Status** 04/08/2015 - Sent to governor.

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**SB348 Requirement for grades served in ASD.**

**Sponsors** Sen. Reginald Tate

**Description** Prohibits an ASD, or the charter school operator if the ASD contracts for operation of a school, from expanding a school assigned to the ASD to include grades other than the grades that the school served at the time the commissioner assigned the school to the ASD.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** *None*

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**SB349 / HB920 Requirements for schools assigned to achievement school district.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Requires schools assigned by the commissioner of education to the achievement school district (ASD) to serve all grades the school served before its assignment to the ASD.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 03/17/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB359 / HB891 Excusing students for non-school-sponsored extracurricular activities.**

**Sponsors** Sen. Paul Bailey / Rep. Kevin Dunlap

**Description** Allows a school principal to excuse students for non-school-sponsored extracurricular activities if certain conditions are met. Requires the student to submit to the school documentation of the activity and the parents to submit a written request to the principal at least seven days prior to the student's requested excused absence. Also allows the principal to limit the number and duration of non-school-sponsored extracurricular activities for which excused absences may be granted to a student during the school year.

**Senate Status** 03/19/2015 - Senate passed.

**House Status** 04/01/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to governor.

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**SB366 / HB1202 TN HOPE scholarship and ROTC students.**

**Sponsors** Sen. Mark Green / Rep. John Ragan

**Description** Provides that semester hours earned in ROTC courses by ROTC students do not count toward the semester hour limitation or other applicable requirements with respect to the terminating events for a HOPE scholarship. Excludes grades received in ROTC courses from the calculation of an ROTC student's grade point average for Tennessee HOPE scholarship purposes.

**Senate Status** 04/01/2015 - Senate Education Committee recommended. Sent to Senate Finance.

**House Status** 03/25/2015 - House Finance Subcommittee placed behind the budget.

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**SB391 / HB907 Local School District Empowerment Act.**

**Sponsors** Sen. Frank Niceley / Rep. Dennis Powers

**Description** Provides for the reestablishment of elected office of school superintendent for county or municipal school systems upon two-thirds vote of governing body of county or municipality and approval in an election on the question by the voters. Limits the reestablishment of the office of elected school superintendent to no more than ten LEAs. Specifies that the purpose of such limitation is to create a pilot program to allow the department of education to study the relevant procedures of reestablishing the office. Provides for qualifications of candidates for elected office of school superintendent and adjusts duties of the local board of education in county or city school systems electing

superintendents. (15 pp.)

**Senate Status** 04/01/2015 - Failed in Senate Education Committee.

**House Status** 03/31/2015 - House Education Administration and Planning Subcommittee deferred to 2016.

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**SB392 / HB909 Local boards of education to admit students without LEA approval.**

**Sponsors** Sen. Frank Niceley / Rep. Dennis Powers

**Description** Requires local boards of education to admit students from outside their respective local school systems without the approval of the LEA that the student previously attended. Requires local boards of education to arrange for the transfer of students residing within their systems to schools located outside of their districts. Provides that the transfer of such students shall be mandated only if the receiving LEA has the available room, teaching capacity and transportation for the incoming students.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - House Education Administration and Planning Subcommittee deferred to 2016.

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**SB397 / HB566 Student religious beliefs in conflict with higher education program.**

**Sponsors** Sen. Joey Hensley / Rep. John J. Deberry Jr.

**Description** Prohibits higher education institution from taking adverse actions against students in counseling, social work, and psychology programs for refusing to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the student's sincerely held religious beliefs. Requires student's supervising instructor or professor, and the director or agency operating the internship or practicum to refer client to another counselor.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB398 / HB266 Automatic suspension for student committing felony.**

**Sponsors** Sen. Joey Hensley / Rep. Sheila Butt

**Description** Provides that students adjudicated delinquent for conduct or an act that would constitute a felony if committed by an adult are to be automatically suspended from school. Specifies procedure and requirements for readmission to school. Provides that student not meeting criteria for readmission to school is expelled from school for one year.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** 02/11/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB422 / HB260 Procurement of internet, internet connectivity & e-learning services.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Jim Coley

**Description** Removes the provision requiring the department of education, when purchasing technology, Internet, Internet connectivity, or e-learning services pursuant to a competitive process prescribed by a request for proposal (RFP), to submit the proposal to the comptroller for approval.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB433 / HB238 Extending the number of years certain school buses may operate.**

**Sponsors** Sen. Janice Bowling / Rep. David Byrd

**Description** Extends the allowable number of years for Class A1 or A2 school buses to 15 years of service. Applies only to any specially equipped school manufactured on or after July 1, 2005. Any specially equipped school bus manufactured prior to July 1, 2005 may be in use

only until the bus reaches 12 years of service if the bus is a Class A2, and 10 years of service if the bus is a Class A1.

**Amendment** HOUSE TRANSPORTATION COMMITTEE AMENDMENT 1 (003646) deletes all language of the original bill. Defines "bus" for the purposes of the subsection as a Type A school bus that is specially designed, equipped, or modified to accommodate students with disabilities or other special transportation needs. Authorizes the use of such Type A buses for a period of 15 years. Requires such buses to meet all safety and use requirements. Bus owners shall notify the department of safety upon a bus reaching its fifteenth year of service and authorizes buses that reach their fifteenth year of service during an academic year to remain in service until the end of the academic year. HOUSE EDUCATION ADMINISTRATION AND PLANNING COMMITTEE AMENDMENT 1, SENATE EDUCATION COMMITTEE AMENDMENT 1 (003878) deletes all language of the original bill. Authorizes the use of Type A buses for a period of 15 years. Requires such buses to meet all safety and use requirements. Bus owners shall notify the Department of Safety (DOS) upon a bus reaching its fifteenth year of service and authorizes buses that reach their fifteenth year of service during an academic year to remain in service until the end of the academic year. Requires the State Board of Education to make rules and regulations to effectuate this act.

**Senate Status** 04/01/2015 - Senate Education Committee recommended with amendment 1. Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB439 / HB1089 Allows parent or teacher to view standardized tests taken by student.**

**Sponsors** Sen. Ferrell Haile / Rep. Kevin Dunlap

**Description** Enacts the "Parent Empowerment and Testing Transparency Act." Allows the parents of a student to have access to the test questions and the student's answers on any state-required standardized assessments within 30 days after the last date for the administration of the test. Allows a teacher to have access to a test administered to a student and the student's answer. Restricts access to students the teacher is currently teaching in the subject tested and to students the teacher taught in the subject tested in the school year in which the test was given. Establishes rules and procedures for the electronic posting and receiving of the student's test information.

**Amendment** House Education Instruction and Programs Committee amendment 1, Senate Education Committee amendment 1 (005531) deletes all language of the original bill. Requires the Department of Education (DOE) to provide local education agencies (LEAs) with access to students' Tennessee Comprehensive Assessment Program (TCAP) tests, end-of-course assessments, and students' answers to all such tests. Requires LEAs to provide the tests and student's answers to parents upon request. Release of this information shall begin in the 2016- 2017 academic year. Items that are required to validate future tests by the administration; items that are being field tested for future tests; and any passages or other content that would violate copyright law are prohibited from being released. Requires a teacher to have access to the teacher's student information relative to standardized tests and answers. Requires release of assessment information to comply with the Tennessee Data Accessibility, Transparency and Accountability Act. Requires a local education agency (LEA) to notify parents on how they can view the test questions and their students' answers during the annual notification of parents on tests that shall be administered during the academic year. Information relative to test viewing shall also be included in each LEA's student handbook or other policy guidebook.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.



**SB448 / HB1349 Establishes a progressive truancy intervention program in K–12.**

**Sponsors** Sen. Doug Overbey / Rep. Terri Lynn Weaver

**Description** Establishes a progressive truancy intervention program in K–12 schools that involves tiers of prejuvenile court programs designed to keep a truant child out of the juvenile court system. Requires the principal or a teacher to notify a student's parent of attendance requirements and punishments for not meeting those requirements. Extends, if an agreement between an LEA and local law enforcement is present, the number of days, from two to five, the principal or a teacher has to report to the director of schools the names of all children who have unexcused absences for that many days. Imposes, as an alternative to criminal prosecution for educational neglect, progressive truancy interventions, as opposed to parent-teacher conferences and parent educational training. Includes several tiers to educational truancy for accumulating additional unexcused absences after a previous truancy intervention or interventions for violating the attendance contract created in the previous tier. Specifies certain requirements and options for the first and following tiers, including more interventions, counseling, weekend courses, suspension, and referral to juvenile court.

**Senate Status** 03/19/2015 - Re-referred to Senate Calendar Committee.

**House Status** 03/17/2015 - House Education Administration and Planning Subcommittee deferred to summer study.

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**SB455 / HB35 Offering pre-k program for at risk children.**

**Sponsors** Sen. Mike Bell / Rep. Bill Dunn

**Description** Allows an LEA that offers a prekindergarten program for at risk children to offer the program either during the school year or in the summer. Requires LEA's conducting the summer prekindergarten program to provide at least six weeks, but no more than eight weeks, of instructions.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB461 / HB126 TN Hope Scholarship - eligibility for children of military.**

**Sponsors** Sen. Mike Bell / Rep. Kevin Brooks

**Description** Allows a child of a military parent to be eligible for a Tennessee HOPE scholarship if the child is classified as an in-state student at the time of enrollment.

**Amendment** House Education Administration and Planning Committee amendment 1, Senate Education Committee amendment 1 (003589) specifies that dependent children of members of the armed forces or Tennessee National Guard must qualify to be in-state students at the time of application to the eligible postsecondary institution, rather than at the time of enrollment in the institution. Corrects several other technical issues without making any substantive changes.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB512 / HB125 Closure of charter schools on the state's 2015 priority list.**

**Sponsors** Sen. Steven Dickerson / Rep. G.A. Hardaway

**Description** Alters the provision requiring the closure of charter schools at the end of the 2014-2015 school year that are on the state's 2015 priority list. Requires instead that if such charter schools appear on the state's 2017 priority list, or in a year thereafter, they must close at the end of the school year.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB514 / HB710 Requires THEC to include certain people in Higher Education Fact Book.**

**Sponsors** Sen. Steven Dickerson / Rep. Mark White

**Description** Requires THEC to include the number of out-of-state students attending each state institutions of higher education, the number of out-of-state students by state or foreign country and the total amount of out-of-state tuition collected by each institution in its annual Tennessee Postsecondary Education Fact Book. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 02/18/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB515 / HB711 Increases time to report student members on THEC to governor.**

**Sponsors** Sen. Steven Dickerson / Rep. Mark White

**Description** Requires that nominees for student member on the Tennessee higher education commission be submitted to the governor by March 15 instead of April 15. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 02/18/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB518 / HB434 Students with intellectual disabilities included in graduation rate.**

**Sponsors** Sen. Joey Hensley / Rep. David Byrd

**Description** Requires that students with intellectual disabilities who are educated in comprehensive development classrooms be included as graduates when calculating the graduation rate for their high school class.

**Senate Status** 02/12/2015 - Referred to Senate Education Committee.

**House Status** 03/03/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB519 / HB435 Students obtaining GED or HiSET diploma included in graduation rate.**

**Sponsors** Sen. Joey Hensley / Rep. David Byrd

**Description** Requires the department of education to include a student, who obtains a GED or HiSET diploma within five years of beginning high school, in the calculation of the graduation rate for the class in which the student entered high school.

**Senate Status** 02/12/2015 - Referred to Senate Education Committee.

**House Status** 03/03/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB520 / HB436 Calculation formula for high school graduation rate.**

**Sponsors** Sen. Joey Hensley / Rep. David Byrd

**Description** Establishes the method for calculating a high school's graduation rate. Specifies that the formula be calculated as the number of students in an adjusted cohort, who graduate in four years with a regular high school diploma, divided by the number of students who form the adjusted cohort in that graduating class. Disqualifies students from the formula who are retained in a grade or leave schools without transferring into another school. Establishes procedures to remove a student from the cohort and to confirm that a student has transferred out.

**Senate Status** 02/12/2015 - Referred to Senate Education Committee.

**House Status** 03/03/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB526 / HB758 Requires an LEA to reimburse public institutions of higher education.**

**Sponsors** Sen. Todd Gardenhire / Rep. Andy Holt

**Description** Requires an LEA to reimburse public institutions of higher education for the cost of providing remedial courses to students who enroll within 16 months of graduation from a high school in the LEA. Broadly Captioned.

**Senate Status** 03/04/2015 - Failed in Senate Education Committee.

**House Status** 02/18/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB537 / HB567 Minimum requirements for graduation - children in custody of DCS.**

**Sponsors** Sen. Dolores R. Gresham / Rep. John J. Deberry Jr.

**Description** Prohibits an LEA from requiring more than the minimum graduation requirements for students enrolling or transferring in the tenth grade or later who are in the custody of the department of children's services to receive a full diploma.

**Amendment** House Education Administration and Planning Committee amendment 1, Senate amendment 1 (005524) changes the grade level applicability from grade ten or higher to grade eleven or higher.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (005524) changes the grade level applicability from grade ten or higher to grade eleven or higher.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB538 / HB420 Temporary superintendent of schools.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Removes obsolete and contradictory language concerning the appointment of temporary superintendents of schools in the likelihood that a county superintendent is inducted into the military service and no person residing within the county qualifies.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0046 effective March 27, 2015.

**Public Chapter** PC46

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**SB539 / HB815 Closure of virtual schools.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Billy Spivey

**Description** Requires an LEA to close a virtual school that demonstrates student-achievement growth at a level of "significantly below expectations" for three consecutive years, whereas before the commissioner was provided with the option of reinstituting the enrollment cap instead.

**Amendment** Senate Education Committee amendment 1 (005112) prohibits a nonprofit or for-profit entity that contracts with an LEA for the operation of a virtual public school from enrolling students in a virtual public school if the entity was previously forced to close another virtual public school. Further clarifies that only data collected after passage of this bill should be used in demonstrating student achievement growth for the purpose of closing a school under the provision above.

**Senate Status** 04/01/2015 - Senate Education Committee recommended with amendment 1 (005112). Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB543 / HB691 Student financial aid programs - barber school, school of cosmetology.**

**Sponsors** Sen. Jack Johnson / Rep. Steve McManus

**Description** Establishes that any barber school or school of cosmetology may seek state authorization, for purposes of meeting institutional eligibility requirements for federal student financial

aid programs, from THEC under the Postsecondary Education Authorization Act, and will thereafter be subject to the Act's requirements.

**Amendment** Senate Amendment 1, House Education Administration and Planning Committee amendment 1 (005040) deletes all language of the original bill. Requires any barber school or school of cosmetology that seeks state authorization from the THEC for the purposes of meeting institutional eligibility requirements for federal student financial aid programs, to be subject to the requirements of the post secondary Education Authorization Act of 1974. Prohibits the State Board of Cosmetology and Barber Examiners from issuing new authorizations for the purposes of federal financial aid to new schools after July 1, 2015. Any authorization for such purposes that was issued by the Board prior to July 1, 2015, shall remain valid until authorization is granted by THEC or until June 30, 2016, whichever is earlier. Any post secondary authorization for the purposes of eligibility for federal financial aid that were issued by the Board prior to July 1, 2015, shall be held as invalid if a school fails to meet certain conditions. This part is repealed on June 30, 2016, after which all postsecondary authorizations for eligibility to federal financial aid shall be issued by THEC Sets forth a process for hearing for claims of loss or damage as a result of a school's failure to properly follow the requirements of this bill. This process shall be repealed on June 30, 2016, after which THEC will issue all new and renewed authorizations for the purposes of federal financial aid.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 (005040), which deletes all language of the original bill. Requires any barber school or school of cosmetology ,that seeks state authorization from the Tennessee Higher Education Commission (THEC) for the purposes of meeting institutional eligibility requirements for federal student financial aid programs, to be subject to the requirements of the post secondary Education Authorization Act of 1974. Prohibits the State Board of Cosmetology and Barber Examiners from issuing new authorizations for the purposes of federal financial aid to new schools after July 1, 2015. Any authorization for such purposes that was issued by the Board prior to July 1, 2015, shall remain valid until authorization is granted by THEC or until June 30, 2016, whichever is earlier. Any post secondary authorization for the purposes of eligibility for federal financial aid that were issued by the Board prior to July 1, 2015, shall be held as invalid if a school fails to meet certain conditions. This part is repealed on June 30, 2016, after which all postsecondary authorizations for eligibility to federal financial aid shall be issued by THEC Sets forth a process for hearing for claims of loss or damage as a result of a school's failure to properly follow the requirements of this bill. This process shall be repealed on June 30, 2016, after which THEC will issue all new and renewed authorizations for the purposes of federal financial aid.

**House Status** 04/07/2015 - House Education Administration and Planning Committee recommended with amendment 1 (005040), which deletes all language of the original bill. Requires any barber school or school of cosmetology, that seeks state authorization from the Tennessee Higher Education Commission (THEC) for the purposes of meeting institutional eligibility requirements for federal student financial aid programs, to be subject to the requirements of the post secondary Education Authorization Act of 1974. Prohibits the State Board of Cosmetology and Barber Examiners from issuing new authorizations for the purposes of federal financial aid to new schools after July 1, 2015. Any authorization for such purposes that was issued by the Board prior to July 1, 2015, shall remain valid until authorization is granted by THEC or until June 30, 2016, whichever is earlier. Any post secondary authorization for the purposes of eligibility for federal financial aid that were issued by the Board prior to July 1, 2015, shall be held as invalid if a school fails to meet certain conditions. This part is repealed on June 30, 2016, after which all postsecondary

authorizations for eligibility to federal financial aid shall be issued by THEC Sets forth a process for hearing for claims of loss or damage as a result of a school's failure to properly follow the requirements of this bill. This process shall be repealed on June 30, 2016, after which THEC will issue all new and renewed authorizations for the purposes of federal financial aid. Sent to House Finance.

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**SB552 / HB663 Membership of state board of education.**

**Sponsors** Sen. Frank Niceley / Rep. David Alexander

**Description** Revises the method for selecting members to the state board of education, by providing that the nine members previously appointed to the board shall now be elected. Maintains the inclusion of one appointed public high school student and one ex officio member to the board. Provides that elected members shall serve four year staggered terms. Authorizes the governor to fill any vacancies on the board, subject to confirmation by the senate.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB562 / HB598 Funding for BEP instructional components.**

**Sponsors** Sen. Doug Overbey / Rep. Dale Carr

**Description** Requires the state to provide sufficient funding so that each LEA will receive no less than a 65 percent state share of funding in the BEP instructional components.

**Senate Status** 02/12/2015 - Referred to Senate Education Committee.

**House Status** 02/18/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB588 / HB735 Gives priority schools one year to improve.**

**Sponsors** Sen. Reginald Tate / Rep. Harold Love Jr.

**Description** Allows a school that has been classified as a priority school to have one year to address and improve the factors that led to the school being in the bottom five percent before the commissioner can impose various interventions upon the school.

**Amendment** Senate amendment 1, House Education Administration and Planning committee amendment 1 (004669) deletes all language of the original bill. Requires the Commissioner of Education to notify any school and its respective local education agency if a school is among the bottom 10 percent of schools in overall achievement. Requires notification to be made by October 1 of the year that is prior to when the public identification of such schools is made.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (004669) deletes all language of the original bill. Requires the Commissioner of Education to notify any school and its respective local education agency if a school is among the bottom 10 percent of schools in overall achievement. Requires notification to be made by October 1 of the year that is prior to when the public identification of such schools is made.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB590 / HB585 THEC - reports to legislative members.**

**Sponsors** Sen. Reginald Tate / Rep. Jim Coley

**Description** Requires THEC to report needed revisions, additions or deletions to the higher education funding formula identified by its review committee to the chair of the education committee of the senate and the chair of the education administration and planning committee of the house. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Subcommittee deferred to 2016.

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**SB591 / HB524 Corrects an error in the definition of "academic year."**

**Sponsors** Sen. Reginald Tate / Rep. Ron Lollar

**Description** Corrects a minor error in the definition of "academic year" for purposes of the lottery scholarship program. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB592 / HB498 Students must complete 75 hours of service learning to graduate.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Requires students to complete 75 hours of service learning to graduate from high school. Requires the state board of education to adopt service-learning standards and guidelines for certain service learning program.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 04/07/2015 - Taken off notice in House Education Instruction and Programs Committee.

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**SB600 / HB651 Allows parent to petition for restructuring of school.**

**Sponsors** Sen. Brian K. Kelsey / Rep. John J. Deberry Jr.

**Description** Allows parents to petition, subject to certain conditions, for the restructuring of a school through the transformation or turnaround model or as a charter school. Details petition process. Requires the LEA to ensure transformation meets certain standards. Broadly captioned.

**Amendment** SENATE EDUCATION COMMITTEE AMENDMENT 1 (004545) specifies the process a parent must make in order to have a petition for certain procedures to be taken by the school. Requires an appeals process for educators. SENATE EDUCATION COMMITTEE AMENDMENT 2 (004692) specifies an exception to schools undergoing an intervention.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB605 / HB646 Creates the Community College Reconnect Grant.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Creates the Community College Reconnect Grant for independent students seeking to complete an associate of applied science degree. Specifies eligibility requirements. Specifies the meaning of gift aid for purposes of the Wilder-Naifeh Reconnect grant. Part of Administration Package.

**Senate Status** 04/08/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB612 / HB675 Out-of-state tuition at state institutions of higher education.**

**Sponsors** Sen. Todd Gardenhire / Rep. Mark White

**Description** Exempts students from paying out-of-state tuition at state institutions of higher education if the individual: 1) Attended school in the state for three years prior to graduation from high school; 2) Graduated from a Tennessee high school and obtained a GED, HiSET, or graduated a home school program; 3) Is registered as an entering student or is enrolled at a state institution of higher education; 4) Has been a Tennessee resident for at least one year immediately preceding the date of enrollment; 5) If necessary, files an affidavit with the

state institution of higher stating that the individual has filed an application to legalize the individual's immigration status.

**Amendment** SENATE EDUCATION COMMITTEE AMENDMENT 1 (003927) requires students to achieve at least a 3.0 grade point average, a 21 or higher on the ACT or a composite SAT score of 980 or higher to be eligible. SENATE EDUCATION COMMITTEE AMENDMENT 2 (003958) changes the requirement for attending a public school in the state from three years to four years. SENATE FINANCE COMMITTEE AMENDMENT 1 (004538) amends Section 1 of the bill to authorize, rather than require, the Tennessee Board of Regents and the University of Tennessee to grant in-state tuition to eligible students at the discretion of the university or community college. SENATE FINANCE COMMITTEE AMENDMENT 2 (005763) deletes all language of the original bill. Requires students to be classified as a Tennessee resident and be charged in-state tuition if a student is lawfully present in the United States; graduated from a Tennessee high school; obtained a GED or HiSET credential awarded by a state-approved institution or organization; or completed high school in a Tennessee home school program. States that the provisions of Tenn. Code Ann. § 4-58-107 does not apply to the residency rule authorized by the bill, as amended.

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended with amendment 2 (005763) and previously adopted amendment 1 (004538). Amendment 2 requires a person to be lawfully present in country to be eligible for in-state tuition. Sent to Senate Calendar Committee.

**House Status** 04/07/2015 - House Education Administration and Planning Committee recommended with amendment 1 (005582). Sent to House Government Operations.

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#### **SB614 / HB1058 Public access to electronic textbooks and instructional materials.**

**Sponsors** Sen. Joey Hensley / Rep. James (Micah) Van Huss

**Description** Requires a local board that chooses to furnish electronic textbooks and instructional materials to make those instructional materials and textbooks available to the public for viewing.

**Senate Status** 02/12/2015 - Referred to Senate Education Committee.

**House Status** 03/18/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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#### **SB624 / HB945 Allows recipients of HiSET to be used for Hope Scholarship.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Allows recipients of the HiSET high school equivalency credential to be eligible for a Tennessee HOPE scholarship, provided that they score at least an average of 15 on the test and meet other scholarship requirements. Modifies the requirement for receipt of the Tennessee HOPE scholarship by GED recipients to allow a revised GED test with an average score of at least 170 to be used. Makes various other changes to hope scholarship requirements to allow for the use of the HiSET.

**Senate Status** 03/18/2015 - Senate Education Committee recommended. Sent to Senate Finance.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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#### **SB632 Postpones any further implementation of state standards.**

**Sponsors** Sen. Paul Bailey

**Description** Prohibits the adoption or implementation of any new state curriculum standards on January 1, 2016, and provides that the standards in place on that day shall remain in place until the general assembly by joint resolution makes a final determination on the merit of the standards.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**SB645 / HB520 School policies on electronic cigarettes.**

**Sponsors** Sen. Bill Ketron / Rep. Sheila Butt

**Description** Requires that schools change their student discipline code or school policy relative to the use and possession of smoking and tobacco products on property owned or used regularly by the school to include electronic cigarettes. Requires this change to be in place and operational by the 2015-2016 school year.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 02/12/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB656 / HB1221 Reassignment of student when abuse suspected at school.**

**Sponsors** Sen. Sara Kyle / Rep. Joe Towns Jr.

**Description** Allows a parent of a child who is suspected of being a victim of child sexual abuse that occurred while the child was under the supervision or care of a public school to request the local board of education immediately reassign that child to another school of the parent's choosing, and requires the local board to reassign the child.

**Amendment** House Education Administration and Planning Subcommittee amendment 1, Senate Education Committee amendment 1 (004578) rewrites the bill. Requires an LEA to make reasonable accommodations to separate an alleged victim of child sexual abuse from the alleged perpetrator if the abuse occurred while the child was under the school's care. If available and appropriate, the local school board shall, upon request of the parent, reassign the alleged victim to a different school, if the abuse occurred while the child was under the care of the school and the perpetrator of the abuse is substantiated by the Department of Children's Services (DCS), adjudicated by a juvenile court to have committed the child sexual, or is criminally charged.

**Senate Status** 04/09/2015 - Senate deferred to 04/16/15.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB664 / HB689 Prohibits corporal punishment in public schools.**

**Sponsors** Sen. Sara Kyle / Rep. Jason Powell

**Description** Prohibits corporal punishment in public schools.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Failed in House Education Administration and Planning Subcommittee for lack of a second.

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**SB667 / HB830 Requires LEA to teach domestic violence awareness program.**

**Sponsors** Sen. Sara Kyle / Rep. Johnnie Turner

**Description** Requires LEAs, in consultation with the department of education and local law enforcement, to institute at least one domestic violence awareness education program per year for middle and high schools. Requires each program to be developmentally appropriate based on the students' age and maturity level.

**Amendment** House Amendment 1 (005271) deletes all language of the original bill. Encourages local education agencies (LEAs), in consultation with local law enforcement, to institute domestic violence awareness education programs for all middle and high school students. Such programs shall be age appropriate. Encourages LEAs that elect to institute domestic violence awareness education programs to have all students in middle and high school attend at least one program each year.

**Senate Status** 04/09/2015 - Senate passed.

**House Status** 04/06/2015 - House passed with amendment 1 (005271), which deletes all language of the



original bill. Encourages local education agencies (LEAs), in consultation with local law enforcement, to institute domestic violence awareness education programs for all middle and high school students. Such programs shall be age appropriate. Encourages LEAs that elect to institute domestic violence awareness education programs to have all students in middle and high school attend at least one program each year.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB671 / HB983 Prohibits standardized testing for students in K-2.**

**Sponsors** Sen. Frank Niceley / Rep. Matthew Hill

**Description** Prohibits LEAs from administering any state or locally mandated standardized tests for the grade levels of kindergarten through grade two (K-2).

**Senate Status** 03/26/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/25/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB724 / HB659 Allows students to self-administer enzymes for certain illnesses.**

**Sponsors** Sen. Mark Green / Rep. Jay D. Reedy

**Description** Permits a student diagnosed with pancreatic insufficiency or cystic fibrosis to self-manage prescribed enzyme therapy in the manner directed by the licensed healthcare provider without additional assistance or direction.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB730 Graduation requirements - postsecondary institutions.**

**Sponsors** Sen. Steve Southerland

**Description** Requires state institutions of higher education and post-secondary institutions authorized to operate in this state by THEC to permit an enrolled student to graduate under the requirements of the catalog in effect at the time the student enters the institution or of any subsequent catalog in effect while the student is enrolled for the student's course of study. Specifies that this requirement only applies to students who seek to graduate within six years of the student's date of entry into the institution.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** *None*

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**SB740 / HB1273 Formation of charter schools for students with specific needs.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Allow for the formation of charter schools for students with specific academic needs. Allows such charter schools to establish academic admission criteria and to be exempt from certain charter school requirements.

**Amendment** Senate Education Committee amendment 1 (004157) deletes all language after the enacting clause of the original bill. Authorizes the formation of public charter schools that are designed specifically for the students with disabilities, for students with specific academic needs, or for a single sex. Such schools may limit their enrollment to a specific subset of students. Prohibits the reduction of a public charter school's application score by an authorizing body solely on the basis that a public charter school is designed for a specific subset of students. Such public charter schools shall not be subject to the provisions of Tenn. Code Ann. § 49-13-113(b)-(d) relative to enrollment of public charter school students.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/07/2015 - House Education Instruction and Programs Committee deferred to 2016.

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**SB757 / HB856 Achievement school district - grades served.**

**Sponsors** Sen. Thelma Harper / Rep. Bill Beck

**Description** Prohibits a school assigned to the ASD from serving grades other than those served by the school before its assignment to the ASD. Provides that if a school is assigned to the ASD, the ASD shall not recruit students zoned for another school.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - Failed in House Education Administration and Planning Subcommittee.

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**SB758 / HB921 Achievement school districts and priority schools.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Prohibits the placement of a school identified as a priority school in the achievement school district if, after being identified as a priority school, the school: (1) attains a TVAAS lever of 4 or greater, and the director of schools assigns a new principal to the school; (2) the local board of education assigns the students to an LEA school that is not identified as a priority school; or (3) the LEA forms a community consortium under the Tennessee Community Schools Act.

**Amendment** House Education Administration and Planning Committee amendment 1, Senate amendment 1 (004563) deletes all language of the original bill. Prohibits the placement of a priority school within the Achievement School District (ASD) if the school demonstrates student achievement growth at a level of "above expectations" or greater as determined by the Tennessee Value-Added Assessment System (TVAAS), and before the Commissioner of Education determines that the school shall be placed within the ASD as part of the school improvement program.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (004563) deletes all language of the original bill. Prohibits the placement of a priority school within the Achievement School District (ASD) if the school demonstrates student achievement growth at a level of "above expectations" or greater as determined by the Tennessee Value-Added Assessment System (TVAAS), and before the Commissioner of Education determines that the school shall be placed within the ASD as part of the school improvement program.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB761 / HB584 Short school day programs for high school seniors.**

**Sponsors** Sen. Reginald Tate / Rep. Jim Coley

**Description** Requires local boards of education to develop a seniors' short school day program for the LEA's high school seniors who have completed all requirements for graduation, except for three or fewer classes. Prohibits a senior from enrolling in the program who will need remediation upon enrolling in an institution of higher education after high school graduation.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 02/12/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB766 Notice of charges and hearing prior to dismissal for LEA employees.**

**Sponsors** Sen. Frank Niceley

**Description** Requires that an LEA employee in a position for which no teaching license is required be given notice of charges and a hearing prior to dismissal. Requires such employee wishing to appeal an adverse decision of a hearing officer to first exhaust the employee's administrative remedies by appealing to the local board of education.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** *None*

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**SB802 / HB1265 Revises tenured teacher evaluations.**

**Sponsors** Sen. Frank Niceley / Rep. Rick Womick

**Description** Specifies that the annual evaluation of all teachers and principals employed by the LEAs should rate the effectiveness of each teacher and principal using one of three categories: exceeds expectations, meets expectations, and below expectations. Makes technical revisions throughout to reflect change in effectiveness categories.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB804 / HB1263 Discontinues use of common core state standards.**

**Sponsors** Sen. Frank Niceley / Rep. Rick Womick

**Description** Requires the state board and department of education on July 1, 2015, to discontinue the use of common core standards. Requires the standards that were in use prior to the adoption of common core state standards to be used until the development and adoption of new Tennessee-specific standards.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB806 / HB836 Notice of charges and hearing prior to dismissal for LEA employees.**

**Sponsors** Sen. Frank Niceley / Rep. Billy Spivey

**Description** Requires that an LEA employee in a position for which no teaching license is required be given notice, in writing, of charges and a hearing prior to dismissal. Provides that such an employee wishing to appeal an adverse decision of the hearing officer must first exhaust the employee's administrative remedies by appealing to the local board of education within ten days of the finding.

**Amendment** House Education Administration and Planning Subcommittee amendment 1, Senate Education Committee amendment 1 (004957) rewrites the bill. Requires that in developing a policy for the dismissal of an employee in a position for which no teaching licensee, the local board of education shall ensure that the policy provides a pre-termination hearing with the director of schools or the director's designee.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee after adopting amendment 1 (004957).

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB807 / HB864 Requirements for setting and posting of school calendar.**

**Sponsors** Sen. Frank Niceley / Rep. Dale Carr

**Description** Requires the local board of education to set the school calendar by December 31 of the year preceding the school year. Also requires the school calendar to be posted on the LEA's web site by the following January 15.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 02/18/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB808 / HB1362 Charter school funding - attrition rates.**

**Sponsors** Sen. Frank Niceley / Rep. Kent Calfee

**Description** Requires K-8 charter schools that have a student attrition rate greater than 200 percent of the average attrition rate for other K-8 schools located within the LEA to return to the LEA, at the LEA's request, all state and local funds that were provided and are attributable to each student above the 200 percent threshold.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**SB810 / HB762 Notice to parents regarding unexcused absences of child.**

**Sponsors** Sen. Joey Hensley / Rep. David Byrd

**Description** Changes from five to three the number of unexcused absences for a child that requires notice be sent to the parent or guardian for such absences from the director of schools. Requires a student to be reported to juvenile court as truant, if the student has accumulated six unexcused absences. Allows a student four excused absences a semester after which time a written note explaining an absence is required for the student to obtain an excused absence.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Subcommittee deferred to summer study.

**SB816 / HB1126 Policy review - employees, contractors recommending psychotropic drugs**

**Sponsors** Sen. Jim Tracy / Rep. John Forgety

**Description** Requires the state board to submit a biennial report on the review of policies concerning employees or contractors recommending psychotropic drugs to treat elementary or secondary school students.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Administration and Planning Subcommittee.

**SB824 / HB910 LEAs to install cameras on school buses to record traffic violations.**

**Sponsors** Sen. Paul Bailey / Rep. Eddie Smith

**Description** Authorizes an LEA to install cameras on school buses to record vehicles that unlawfully pass a stopped school bus. Provides that any evidence obtained from such installed cameras may only be reviewed by authorized law enforcement officers, and specifies that citations for violations captured on such cameras may not exceed \$50.00 and are nonmoving traffic violations. Specifies that the funds collected from the fines shall be allocated to the LEA, with at least 70 percent to be used to defray the costs of the camera.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee after adopting amendment 1.

**House Status** 03/31/2015 - House Transportation Committee recommended. Sent to House Education Administration and Planning Committee.

**SB827 TN Promise Scholarship - middle college students.**

**Sponsors** Sen. Ken Yager

**Description** Authorizes students admitted to and enrolled in a middle college program to be eligible for a Tennessee Promise scholarship. Clarifies that students enrolled in a middle college program shall be eligible for the Tennessee Hope scholarship when transferring to a four-year postsecondary institution in pursuit of a baccalaureate degree, provided however that the student meets certain requirements of the scholarship and obtained and maintained a Tennessee Promise scholarship while attending the program.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** *None*

**SB837 / HB832 Statutory references to the education committee.**

**Sponsors** Sen. Ken Yager / Rep. Beth Harwell

**Description** Revises statutory references to the education committee to conform to the rule change adopted by the house. (21 pp.)

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB849 / HB913 Revisions to BEP funding.**

**Sponsors** Sen. Doug Overbey / Rep. Dale Carr

**Description** Revises the BEP by providing that the formula shall adjust salary components by 100 percent of the county cost differential factor (CDF). Requires the TACIR fiscal capacity index be used to determine the capacity of local jurisdictions to raise local revenues. Establishes that the formula shall provide funding for 12 months of local education employees' medical insurance premiums.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - House Education Administration and Planning Subcommittee deferred to summer study.

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**SB855 / HB965 Study - offering work-based learning internships.**

**Sponsors** Sen. Steve Southerland / Rep. Billy Spivey

**Description** Directs Tennessee council for career and technical education, with the help of the department of education and state board of education, to study what deters employers from offering high school students, particularly minors, work-based learning internships and explore ways to encourage employers to offer such internships for students. Requires Council to report findings and recommendations to the education administration and planning committee of the house of representatives and the education committee of the senate by January 15, 2016. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB879 / HB947 Revises charter school application fees.**

**Sponsors** Sen. Dolores R. Gresham / Rep. Harry Brooks

**Description** Increases the charter school application fee from \$500 per application to \$5,000 for new applications and \$1,000 for renewal applications. Institutes authorizer fees to defray the costs of authorizing the school and to support the continuing operations of the chartering authority to oversee and monitor the performance of its authorized charter schools. Requires the department of education to verify annually that LEAs are providing the amount of funding to charter schools required by law. Clarifies that an LEA is not required to include any vacant or underutilized property that the LEA intends to sell or dispose of within 12 months of October 1 on the comprehensive list of such properties provided to the department of education. Revises LEA's responsibilities in providing facilities for charter school use.

**Amendment** House Education Instruction and Programs Committee amendment 1 (004761) deletes all language of the original bill. Changes, from \$500 to \$5,000, the initial application fee that a public charter school must pay to the chartering authority. Requires a public charter school to pay \$1,000 to the chartering authority for each subsequent renewal of its charter. Authorizes certain chartering authorities to collect an administrative fee from public charter schools. Creates a tiered system of charter authorizer fees. Local education agencies (LEAs) that are the chartering authorities of public charter schools in FY16-17 may collect a fee of one percent of the total state and local Basic Education Program (BEP) per pupil expenditure allocated to a public charter school, or up to \$10,000 per school. If an LEA approves a new public charter school or renews an existing application in FY17-18 and subsequent years, LEAs may collect an authorizer fee of 2.5 percent of the total state and local BEP per pupil funding allocated a public charter school, or up to \$25,000 per school.

An LEA that did not authorize a public charter school before July 1, 2015, but authorizes a school in FY15-16 or thereafter shall receive a four percent authorizer fee for the first four-year period that the school is in operation. The State Board of Education (SBE) shall be eligible to collect a charter authorizer fee up to four percent of the total state and local BEP per pupil expenditures that are allocated to public charter schools authorized by the SBE. Requires each chartering authority to provide each public charter school under its purview, an annual accounting of the costs to fulfill authorizer obligations. Requires the Comptroller of the Treasury to review the effectiveness of charter authorizer fees and make a report to the General Assembly, biennially, beginning in FY16-17. The Department of Education shall annually verify that the level of funding provided to a public charter school is in compliance with Tennessee Code Annotated.

**Senate Status** 04/01/2015 - Senate Education Committee deferred to 2016.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB882 / HB874 Tenure for teachers working at public charter school.**

**Sponsors** Sen. Jeff Yarbro / Rep. Harold Love Jr.

**Description** Requires that the years of service acquired by a teacher while on a leave of absence to teach at a public charter school be used by the local board to obtain or determine tenure status, provided, however, that when the teacher returns to the original LEA the teacher receives two consecutive years of evaluations demonstrating an overall performance level that is "above expectation" or "significantly above expectations."

**Senate Status** 04/09/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB884 / HB824 BEP instructional salary unit cost for 2015-2016 fiscal year.**

**Sponsors** Sen. Jeff Yarbro / Rep. Jason Powell

**Description** Establishes that the dollar value of the BEP instructional positions component for the 2015-2016 fiscal year shall be the average statewide licensed teacher salary as determined for the 2013-2014 school by the BEP review committee. Broadly Captioned.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 03/10/2015 - House Education Administration and Planning Subcommittee deferred to summer study.

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**SB893 / HB1031 Decreases notice that must be provided to a dismissed teacher.**

**Sponsors** Sen. Richard Briggs / Rep. Martin Daniel

**Description** Changes, from June 15 to May 15, the date on which a board of education or director of schools must notify certain teachers of their dismissal or failure of reelection or assignment to schools for the next school year.

**Amendment** Senate amendment 1 (003847) deletes all language of the original bill. Requires teachers to receive their annual contract and assignment notices for the next academic year within five business days following the last instructional day of the academic year. LEAs shall have five days after the last instructional day of the academic year to abolish positions with certain requirements. HOUSE AMENDMENT 1 (004546) requires notice be provided to the teacher five business days following the last instructional day for the school year. Establishes July 1, 2015 as the effective date.

**Senate Status** 04/08/2015 - Senate concurred in House amendment 1 (004546), which requires notice be provided to the teacher five business days following the last instructional day for the school year. Establishes July 1, 2015, as the effective date.

**SB894 / HB1032 Teacher's written contract requirements.**

**Sponsors** Sen. Richard Briggs / Rep. Martin Daniel

**Description** Limits the length of a teacher's obligations under a written contract with the director of schools or board of education to the term of each school year. Requires LEAs to compensate teachers in an amount equal to their daily rate of pay under the contract if the LEA requires the teacher to work between school terms, and to notify teachers by April 1 of each school year regarding the additional service.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 02/25/2015 - Referred to Education Administration & Planning Subcommittee.

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**SB935 / HB1076 Reconstitutes the committee on postsecondary educational institutions.**

**Sponsors** Sen. Mike Bell / Rep. Roger Kane

**Description** Establishes changes to and reconstitutes the committee on postsecondary educational institutions. Specifies exactly who can appoint and serve in these positions. Decreases the committee members from 13 to 11 members.

**Amendment** Senate Education Committee amendment 1 (005770) changes the composition of the committee on postsecondary educational institutions.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee after adopting amendment 1 (005770), which changes the composition of the committee on postsecondary educational institutions.

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB943 / HB1133 Filling of vacancies on county and municipal school boards.**

**Sponsors** Sen. Ken Yager / Rep. Dennis Powers

**Description** Authorizes the local board of education to fill vacancies on county and municipal school boards instead of the local legislative body. Requires the local board of education to make an interim appointment within thirty days of the date of the vacancy occurring and stipulates that vacancies on the board shall be filled by the board itself.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee.

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB954 / HB770 Requiring restraint systems on school buses.**

**Sponsors** Sen. Lee Harris / Rep. Joe E. Armstrong

**Description** Requires any bus ordered or purchased on or after July 1, 2016, to be equipped with a restraint system that is approved by the national transportation and safety board for the driver and all passengers. Requires any bus that is currently used to transport students be equipped with a restraint system by July 1, 2023.

**Senate Status** 03/26/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/25/2015 - House Transportation Subcommittee deferred to summer study.

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**SB959 / HB969 Annual reports to education committees may be in electronic formats.**

**Sponsors** Sen. Sara Kyle / Rep. Johnny W. Shaw

**Description** Authorizes electronic formats of the annual reports required to be provided to the education committees of the senate and house by the consortium for cooperative innovative education. Broadly Captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Subcommittee deferred to

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**SB965 / HB1234 Education committees to receive reports on TN job skill program.**

**Sponsors** Sen. Reginald Tate / Rep. Larry J. Miller

**Description** Adds the education committees to those committees who receive reports on the Tennessee job skills program; changes the report from annual to biennial.

**Senate Status** 03/30/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/24/2015 - House Business & Utilities Subcommittee deferred to February 2016.

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**SB966 / HB1231 Proficiency scores and identifying schools as priority schools.**

**Sponsors** Sen. Reginald Tate / Rep. Joe Towns Jr.

**Description** Authorizes the department of education, in consultation with the state board of education, to create a numerical score above which students shall be deemed proficient. Prevents the commissioner of education from identifying a school as a priority school, if the student average within the school is above the numerical score. Requires the department to post the numerical score and any other necessary relevant information on its website.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/18/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB974 / HB1047 Superintendent of ASD to make annual financial disclosures.**

**Sponsors** Sen. Frank Niceley / Rep. Bo Mitchell

**Description** Requires that the superintendent of the achievement school district make annual financial disclosures and conflict of interest disclosures. Establishes that salaries of employees of the achievement school district shall not be confidential, and requires that they be included in public lists of salaries of state employees that include those of the department of education.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee.

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB975 / HB508 Abolishes achievement school district.**

**Sponsors** Sen. Thelma Harper / Rep. Bo Mitchell

**Description** Abolishes the achievement school district (ASD) at the close of the 2015–2016 school year. Provides that an LEA that contains a school operated by the ASD shall assume responsibility for that school and its students, and the LEA shall become the chartering authority for a charter school authorized by the ASD. Transfers certain other responsibilities of the ASD regarding charter schools to LEAs.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Failed in House Education Administration and Planning Subcommittee for lack of a second.

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**SB977 / HB571 Legal representation for children in truancy proceedings.**

**Sponsors** Sen. Mark S. Norris / Rep. John J. Deberry Jr.

**Description** Entitles children to legal representation in proceedings alleging truancy.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - House Civil Justice Subcommittee deferred to summer study.

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**SB999 / HB1049 Enacts the Tennessee Choice & Opportunity Scholarship Act.**

**Sponsors** Sen. Todd Gardenhire / Rep. Bill Dunn

**Description** Establishes a scholarship program for eligible students to attend participating private K-12 schools. An "eligible student" is a student who: (1) Resides in Tennessee and is zoned to



attend or enrolled in a public school that is identified as being in the bottom five percent of schools in overall achievement; (2) Meets the minimum age requirements to attend kindergarten with eligibility extending until the student graduates from high school, except that the student must be less than 22 years of age by August 15 of each year; (3) Is a member of a household whose annual income during the year prior to initial receipt of a scholarship met the requirements for free or reduced price lunch; and (4) Was previously enrolled in a Tennessee public school during the two semesters preceding the semester in which the student receives the scholarship, is enrolling in a Tennessee school for the first time, or received a scholarship pursuant to this bill in the previous school year. Specifies requirements for private schools to participate in the program, including, but not limited to, being identified as a category I, II or III school, and providing lunch to scholarship students at no cost or at a reduced cost. Details the total number of scholarships that may be awarded for each school year: (1) 5,000 for the 2015-2016; (2) 7,500 for 2016-2017; (3) 10,000 for 2017-2018; and 20,000 for 2018-2019 and thereafter. If a participating school demonstrates achievement growth for scholarship students at a level of "significantly below expectations" for two consecutive years or the department determines the school has failed to comply with this bill, then the commissioner of education may suspend or terminate a school's participation in the program. Provides that if a participating school is suspended or terminated from the program, or if the school otherwise withdraws from the program, scholarship students enrolled at the school may transfer to another participating school without loss of eligibility and such students would be given preference for enrollment. Clarifies that no federal funds shall be used in the funding of the scholarship. (11 pp.)

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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#### **SB1007 / HB1107 Home-Rule LEA Act.**

**Sponsors** Sen. Frank Niceley / Rep. Timothy Hill

**Description** Enacts the "Home-Rule LEA Act." Allows local boards of education more governing authority over their own school districts. Allows eligible LEAs to become home-rule LEAs, so long as the LEAs, in three consecutive years, meets or exceeds the state average on academic performance and certain state standards. Requires the local board of education to adopt a resolution and a certain number of voters to sign a petition in order to be eligible to convert to a home-rule LEA. Requires and specifies the creation of a charter commission. Requires the charter commission to develop a charter to govern the home-rule LEA and for the charter to be proposed to the local governing body and the local board of education for approval. Requires, after approval, an election be held on the question of whether the LEA should convert to a home-rule LEA. Permits LEAs to have greater control over (1) academic standards, (2) the curriculum for those standards, (3) textbook selection, (4) choice of assessments for student performance, (5) evaluation of teachers, principals, and other personnel, (6) policies for student discipline, (7) reorganization of schools by grades, learning styles, or other areas, and (8) the school calendar and times for instruction. Prohibits the commissioner to waive certain regulatory or statutory requirements. Permits the revocation of home-rule charters under certain circumstances and allows for home-rule charters to be rescinded by the local board of education, or the local governing body, following an election to rescind the charter. Excludes certain schools and school districts, such as special school districts and priority schools. (13 pp.)

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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#### **SB1013 / HB858 ASD - assignment of schools or grade configurations.**

**Sponsors** Sen. Steven Dickerson / Rep. Bill Beck

**Description** Allows the commissioner of education to assign priority schools or grade configurations within such certain schools to the ASD unless the parents of 60 percent of the children enrolled at the school object by petition, at which time the LEA may agree to certain alternate interventions for the school.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 03/24/2015 - Failed in House Education Administration and Planning Subcommittee for lack of a motion.

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#### **SB1018 / HB1074 Exemptions for the Postsecondary Education Authorization Act of 1974.**

**Sponsors** Sen. Jim Tracy / Rep. Roger Kane

**Description** Exempts education courses that are solely to prepare students for graduate or professional school entrance exams and professional licensure exams from the Postsecondary Education Authorization Act of 1974.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/25/2015 - House Finance Subcommittee placed behind the budget.

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#### **SB1021 / HB1204 Providing civic education in schools.**

**Sponsors** Sen. Dolores R. Gresham / Rep. John Ragan

**Description** Asserts that providing civic education, promoting good citizenship, and understanding fundamental democratic principles should be core missions of all Tennessee schools, not just secondary schools.

**Amendment** Senate Education Committee amendment 1, House amendment 1 (004384) rewrites the bill. Encourages LEAs to adopt the Congressional Medal of Honor Character Development Program as their course of instruction in character education.

**Senate Status** 04/09/2015 - Senate deferred to 04/13/15.

**House Status** 04/06/2015 - House passed with amendment 1 (004384), which rewrites the bill. Encourages LEAs to adopt the Congressional Medal of Honor Character Development Program as their course of instruction in character education.

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#### **SB1025 / HB1070 Required K-5 physical education class.**

**Sponsors** Sen. Bill Ketron / Rep. Roger Kane

**Description** Requires LEAs to integrate physical activity into the instructional school day. Requires each student in grades kindergarten through five to participate in a physical education class at least two times per week during the school year for a duration of not less than 30 minute but not more than 45 minutes. Requires the class be taught by a licensed teacher with an endorsement in physical education or a specialist in physical education. Prohibits exemptions from the required physical education class to attend remedial classroom activities, or to participate in increased instructional time, and other similar events. Creates an exemption from the requirement if the student has a medical condition or physical disability.

**Senate Status** 03/18/2015 - Senate Education Committee recommended. Sent to Senate Finance.

**House Status** 03/31/2015 - House Education Instruction and Programs Committee deferred to summer study.

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#### **SB1037 / HB1159 Consultation before developing anti-bullying policies.**

**Sponsors** Sen. Bill Ketron / Rep. Bob Ramsey

**Description** Requires, instead of encourages, school districts to consult with parents, guardians, employees, volunteers, students, administrators, and community representatives before adopting policies against harassment, intimidation, bullying, or cyber-bullying.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/25/2015 - Failed in House Education Instruction and Programs Subcommittee.

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**SB1078 / HB769 Housekeeping Expenditure and Lawmaker Transparency on Healthcare Act.**

**Sponsors** Sen. Lee Harris / Rep. Joe E. Armstrong

**Description** Enacts the "Housekeeping Expenditure and Lawmaker Transparency on Healthcare (H.E.A.L.T.H.) Act." Requires the office of legislative administration to publish an annual report indicating which members of the general assembly are enrolled in the state group health plan.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 02/19/2015 - Referred to House State Government Subcommittee.

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**SB1085 / HB1227 Grants LEAs flexibility to be more creative and innovative.**

**Sponsors** Sen. Lee Harris / Rep. Joe Towns Jr.

**Description** Gives an LEA the authority and power to exercise all flexibility granted to public charter schools, including applying for waivers of laws and state board rules that inhibit or hinder the LEA's ability to meet its goals or comply with its mission. Encourages an LEA to exercise this flexibility to develop and implement creative and innovative school programs that meet the specific needs of its students.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 04/07/2015 - Taken off notice in House Education Instruction and Programs Committee.

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**SB1088 / HB904 Denial of licensing for certain principals.**

**Sponsors** Sen. Lee Harris / Rep. John Ray Clemmons

**Description** Restricts the state board from denying licensure for principals based on whether the applicant graduated from a college or university's master program located outside of this state.

**Amendment** Senate amendment 1 (004438) rewrites the bill. Prohibits the State Board of Education from denying an instructional leader a license solely on the basis that such applicant completed a leadership preparation program located outside Tennessee.

**Senate Status** 04/01/2015 - Senate passed with amendment 1.

**House Status** 04/08/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB1094 / HB1008 Delay in opening of new public charter school extended to 120 days.**

**Sponsors** Sen. Lee Harris / Rep. Joe E. Armstrong

**Description** Increases from 90 days to 120 days prior to the delayed opening of a charter school the time within which the commissioner of education must verify that no material changes have been made to the information and documents filed by the charter school sponsor.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB1104 / HB430 Teacher review of academic content and student evaluations.**

**Sponsors** Sen. Mae Beavers / Rep. Tilman Goins

**Description** Specifies that teachers have the right to review all academic content and materials and student evaluation tools brought into the teacher's classroom or to which the teacher's students will be exposed. Requires that all such materials be made available for the teacher's review.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1105 / HB429 Teachers cannot be disciplined for reporting certain issues.**

**Sponsors** Sen. Mae Beavers / Rep. Tilman Goins

**Description** Prohibits a teacher or other educator from being disciplined or discouraged by a principal, school board, local board of education, or other supervisor from reporting inaccuracies, errors, or potentially inflammatory material in textbooks and instructional materials or content to a supervisor, elected official, or parent or guardian of a student. Prohibits teacher or other educator from being asked or required to waive the right to report inaccuracies, errors, or potentially inflammatory material as a condition of gaining or continuing employment.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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**SB1122 / HB1223 Deceptive practice by post-secondary institution - cause of action.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Joe Towns Jr.

**Description** Creates a cause of action under the Tennessee Consumer Protection Act for any person suffering a loss as a result of certain deceptive practices by a postsecondary education institution or its agents. Prohibits, specifically, postsecondary institutions from engaging in false, deceptive, misleading, or unfair advertising, sales, collection, credit, or other practices. Requires postsecondary institutions to offer a free two-week online orientation program to certain incoming students.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1140 / HB1241 Required parent-teacher conferences in eighth grade.**

**Sponsors** Sen. Reginald Tate / Rep. Barbara W. Cooper

**Description** Requires an LEA to conduct individual conferences for parents with their children's teachers and guidance counselors for all students in eighth grade. Requires teachers or guidance counselors to advise and discuss certain issues. Requires teachers or guidance counselors to explain high school graduation requirements and to approve the classes that the student will take. Requires guidance counselors or teachers to inform parents of the availability and requirements for financial aid.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 03/11/2015 - Failed in House Education Instruction and Programs Subcommittee.

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**SB1144 / HB1121 Placing of a priority school in an ASD.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Requires the department of education to list priority schools by county and rank them from highest to lowest in the county when publishing the list of priority schools on the state report card. Prohibits the commissioner from placing a priority school in the achievement school district until all priority schools in the county ranked lower than the school have been placed in the achievement school district.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB1146 / HB1162 School operated by ASD - graded offered.**

**Sponsors** Sen. Reginald Tate / Rep. Harold Love Jr.

**Description** Requires a school operated by the achievement school district or a charter school with which the achievement school district contracted for operation to serve all grades the school

formerly had before assignment, and prohibits expansion of such school to include other grades.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 04/01/2015 - House Education Instruction and Programs Subcommittee deferred to 2016.

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**SB1150 / HB966 Electronic formats of after-school educational pilot program reports.**

**Sponsors** Sen. Reginald Tate / Rep. Johnny W. Shaw

**Description** Allows the commissioner of education to send electronic formats of reports on findings and recommendations concerning pilot after-school educational programs to the governor and the speakers and education committees of the senate and house. Broadly captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/18/2015 - Returned to House clerk's desk.

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**SB1152 / HB922 Prohibits assigning LEA school to achievement school.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Prohibits assigning a school from an LEA to the achievement school district, if the assignment results in a majority of the achievement school district's schools being from that LEA.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Administration and Planning Subcommittee.

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**SB1155 / HB597 Creates the student athlete graduation grant fund.**

**Sponsors** Sen. Reginald Tate / Rep. Antonio Parkinson

**Description** Establishes the student athlete graduation grand fund to provide a source of funding for eligible student athletes who graduate from a public institution of higher education. Requires public institutions of higher education that participate in intercollegiate athletic competitions to deposit one percent of the gross revenue generated from ticket and merchandise sales and broadcast licensing agreements by its athletic department into the fund. Provides that such funds shall be invested by the state treasurer and beginning in 2018, a certain portion shall be reverted back to each public institution to provide grants for eligible student athletes, using a formula that takes into account the total number of student athletes graduating that year. Specifies eligibility requirements for a student athlete to obtain such a grant. Further provides that beginning in 2020, each public institution shall annually receive a payment from the principal balance in the fund in an amount equal to the amount paid into the account four year prior.

**Senate Status** 03/25/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1163 / HB1035 Reports - driver education and training courses in public schools.**

**Sponsors** Sen. Mike Bell / Rep. Billy Spivey

**Description** Requires the department of education to report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house prior to March 1, 2016.

**Amendment** House Education Instruction and Programs Committee amendment 1, Senate Education committee amendment 1 (004501) rewrites the bill. Requires the state board of education to implement a process to review and replace the previous Common Core State Standards adopted in 2010 through an open, transparent process, and requires such standards be fully implemented in the 2017-2018 school year. Requires the state board to appoint two standards review and development committees, one for English language arts and the other

for mathematics, and six advisory teams to advise and assist the two committees. Provides that the public's assistance in reviewing the current standards and suggesting changes shall be elicited through a website that shall allow comment by the public as well as educators. Requires each advisory team to review the current standards for its subject matter and grade level along with the comments and suggestions gathered from the public and educators, and to make recommendations for changes to the appropriate standards and review committee. Provides that each standards and development committee shall review its advisory teams' reports and makes recommendations to a newly created standards recommendation committee. Establishes that the standards recommendation committee shall be composed of members appointed by both speakers and the Governor, and shall make final recommendations as to the new set of standards to the state board for adoption. Establishes that the same process shall be followed for the next adoption of standards in the subjects of science and social studies. HOUSE EDUCATION INSTRUCTION AND PROGRAMS COMMITTEE AMENDMENT 2, SENATE EDUCATION COMMITTEE amendment 2 (005115) replaces "college-and-career-ready" with "postsecondary-and-workforce-ready."

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB1164 / HB1072 TN Promise scholarship - apprentice training program students.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Roger Kane

**Description** Permits students enrolled in an apprenticeship training program to be eligible for the Tennessee Promise scholarship, provided that the program meets certain requirement, such being an association of a trade industry, and being open to anyone 18 years of age or older with a high school diploma, GED or HiSET diploma. Requires such students to meet the same eligibility requirements for the scholarship, and to maintain satisfactory academic progress as determined by the institution to continue to receive the scholarship.

**Senate Status** 03/11/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/17/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1178 / HB1150 Requires separation of Postsecondary Education Authorization Act fees.**

**Sponsors** Sen. Rusty Crowe / Rep. Harold Love Jr.

**Description** Requires that the fees collected pursuant to the Postsecondary Education Authorization Act be separated from all other collections and expenditures of THEC and be accounted for in a special agency account to administer the Act.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 03/24/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1191 / HB431 Parental review of student's papers, projects tests.**

**Sponsors** Sen. Mae Beavers / Rep. Tilman Goins

**Description** Requires that any test, paper, report, project, or other content that is graded or scored, which is used to determine a student's grade in a course or subject, must be provided to the student's parent or guardian for review within 40 days of the date on which the student took the test or submitted the work for grading. Broadly captioned.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1193 / HB1348 Revises provisions governing curriculum standards for K–12 students.**

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**Sponsors** Sen. Mae Beavers / Rep. Terri Lynn Weaver

**Description** Revises the provisions governing curriculum standards for K–12 students, such as prohibiting the implementation of the common core state standards. Prohibits other standards or assessments from being implemented, such as CSCOPE, the Next Generation Science Standards, the National Sexuality Standards, PARCC, the Smarter Balanced Assessment, or Measurement Incorporated. Allows the state board of education to come up with a new set of state academic content standards. Creates the academic standards steering committee as a review authority for all legislation and proposals related to academic standards. Prohibits department of education from withholding state funds from an LEA for failing to use state academic content standards or assessments. Prohibits state and local bodies from relinquishing control over education. Authorizes state board to new state standards that are consistent with state standards in 2009. Establishes certain criteria for the state board to adopt in their new academic standards. (14pp.)

**Senate Status** 03/26/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/25/2015 - Failed in House Education Instruction and Programs Subcommittee.

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**SB1194 / HB1267 Authorizes local school board to adopt education standards.**

**Sponsors** Sen. Mae Beavers / Rep. Rick Womick

**Description** Requires each local school board to adopt academic standards in mathematics, science, geography, history, reading, language arts, and writing. Allows the academic standards adopted by each local school board to be superior or inferior to the academic standards promulgated by the state board of education. Requires the state board of education to develop and provide a baseline set of standards for the listed subjects no later than 13 months before the expected implementation. Also requires the state board to require each local school board to meet with family and community stakeholders to discuss accepting or enriching the academic standards and to ensure that the standards created shall meet the needs of all students within the school district.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1224 / HB889 Digital-learning platform requirements.**

**Sponsors** Sen. Mike Bell / Rep. Debra Moody

**Description** Requires that prior to the implementation of any digital-learning platform, schools shall provide parents, legal guardians and students who are at least 18 years of age a formal written explanation of the goals and capabilities of the platform, and other information regarding the use of the platform by the school. Prohibits the use of a digital-learning platform or any other instructional content presented in digital format by a school that does not include a portal that allows parents or legal guardians total access to the platform. Requires data collected on a student through the student's use of a digital-learning platform to be deleted at the end of the course. Allows a parent or legal guardian to opt their child out of the use of a digital-learning platform, unless the school certifies that the platform is essential to the school.

**Senate Status** 02/19/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/25/2015 - House Education Instruction and Programs Subcommittee deferred to summer study.

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**SB1225 / HB1077 Records held by interscholastic sports competition associations.**

**Sponsors** Sen. Mike Bell / Rep. Glen Casada

**Description** Exempts records held by a voluntary association that establishes bylaws or rules for interscholastic sports competition for secondary schools in this state from public record

laws, provided that the association is not otherwise required by law to provide such bylaws or rules.

**Amendment** House State Government Committee amendment 1 (005059) allows the TSSAA to keep certain records of student athletes confidential.

**Senate Status** 04/06/2015 - Senate State & Local Government Committee recommended with amendment 1. Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB1241 / HB1154 Delinquent acts of a student requiring LEA notification.**

**Sponsors** Sen. Mike Bell / Rep. Bud Hulse

**Description** Expands the delinquent acts committed by a juvenile that require notification to the LEA where the juvenile resides or last attended school. Requires LEA to be notified any time a juvenile is adjudicated delinquent for specified delinquent acts, instead of only when being initially enrolled in the school, returning to school from suspension or expulsion, or transferring to another school. Shifts responsibility of informing school about delinquency adjudication from the parents, to the juvenile court clerk or general sessions clerk.

**Senate Status** 03/18/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/10/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1246 / HB834 Released time courses - religious moral instruction.**

**Sponsors** Sen. Paul Bailey / Rep. Dennis Powers

**Description** Requires local school boards adopt a policy that excuses students from school to attend a released time course in religious moral instruction taught by a sponsoring entity off school property. Clarifies that the entity sponsoring the course shall make attendance records available to the LEA and the local school board, and the entity, and not the LEA, assumes liability for the student during the time the student attends the course.

**Amendment** House Education Instruction and Programs Committee amendment 1, Senate amendment 1 (004712) deletes all language of the original bill. Defines a "released time course" as a period of time that a student is excused from school to attend a course in religious moral instruction by a sponsoring entity off of school property. Authorizes local boards of education to adopt a policy that excuses a student from school to attend one released time course in religious moral instruction for at least one class period per week. Requires the released time course to be conducted off of school property, for the student's parents to submit a written permission form to the school, for the sponsoring entity to be responsible for transportation to and from the released time course, and for the sponsoring entity to assume liability for the student during the time they are away from school property. Prohibits the use of public funds or the involvement of school personnel in such courses. Participating students will be required to make up any missed classwork. School principals shall make the determination of which classes participating students are allowed to miss; however, students may not be excused from any class in which the subject is tested on a state standardized test. Sets forth certain conditions and waiver of liability that shall be included on the parent's written permission form. The released time course shall be counted as part of the student's actual school day.

**Senate Status** 04/09/2015 - Senate passed with amendment 1. Senate amendment 1 (004712) deletes all language of the original bill. Defines a "released time course" as a period of time that a student is excused from school to attend a course in religious moral instruction by a sponsoring entity off of school property. Authorizes local boards of education to adopt a policy that excuses a student from school to attend one released time course in religious



moral instruction for at least one class period per week. Requires the released time course to be conducted off of school property, for the student's parents to submit a written permission form to the school, for the sponsoring entity to be responsible for transportation to and from the released time course, and for the sponsoring entity to assume liability for the student during the time they are away from school property. Prohibits the use of public funds or the involvement of school personnel in such courses. Participating students will be required to make up any missed classwork. School principals shall make the determination of which classes participating students are allowed to miss; however, students may not be excused from any class in which the subject is tested on a state standardized test. Sets forth certain conditions and waiver of liability that shall be included on the parent's written permission form. The released time course shall be counted as part of the student's actual school day.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB1251 / HB955 Report on driver education and training programs in public schools.**

**Sponsors** Sen. Jeff Yarbrow / Rep. JoAnne Favors

**Description** Requires the department of education to report annually on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB1252 / HB1119 Posting studies - effectiveness of certain pre-kindergarten programs.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Raumesh Akbari

**Description** Requires the office of research and education accountability to post the reports of any studies on the effectiveness of certain pre-kindergarten programs on its web site.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB1258 / HB1177 Driver education and training courses in public schools annual report.**

**Sponsors** Sen. Jeff Yarbrow / Rep. John Ray Clemmons

**Description** Requires the department of education to annually report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB1290 / HB1208 TCAP tests to be given every other year.**

**Sponsors** Sen. Joey Hensley / Rep. David Byrd

**Description** Requires the Tennessee comprehensive assessment program (TCAP) tests, starting 2015-2016, to be administered biennially. Requires state board of education to consider the effects of administering the test biennially.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SB1291 / HB1189 Referendum in order to renew the contract of a director of schools.**

**Sponsors** Sen. Joey Hensley / Rep. James (Micah) Van Huss

**Description** Requires a referendum be held for the purpose of renewing the contract of a director of schools.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/24/2015 - House Education Administration and Planning Subcommittee deferred to 2016.

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**SB1292 / HB1151 Textbook errors - reports to commission permitted.**

**Sponsors** Sen. Joey Hensley / Rep. Bryan Terry

**Description** Permits any group of citizens to submit error reports to the state textbook and instructional materials quality commission. Specifies contents that must be contained in the error report. Requires the commission to respond within 30 days of receipt of any error report. Requires the response to be reported to the education committees of the general assembly. Allows any citizens who disagrees with the report to appeal in writing to the commission and may receive a public hearing before the joint education committee. Specifies that no textbook shall be approved for use until the error is corrected by the textbook publisher. Requires the commission to send notice to LEAs of any error and shall include specific details on the error and any recommendations for corrections.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1298 / HB1268 Parents' right to various reasonable accommodations.**

**Sponsors** Sen. Frank Niceley / Rep. Rick Womick

**Description** Establishes that parents of students enrolled in an LEA have a right to various reasonable accommodations from the LEA to enable them to exercise their parental rights. Provides that such rights include retaining their child at a grade level based on academic or other factors, and requesting a change of the student's teacher; however the LEA shall consider and make a reasonable decision regarding the request while weighing certain other factors. Requires the LEA to provide annual notice of these rights to the parents, teachers, and staff of an LEA. Requires an LEA to allow a student to receive credit for a course without completing the course in school if the student passes a test that covers the entire course and demonstrates the required proficiency in the course standards. Allows a student to be excused from any state-mandated tests or assessments administered statewide, and such a student's final grade or performance in a grade level shall be based on that student's coursework.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1299 / HB1091 Professional Educators Collaborative Conference Act of 2011 revisions.**

**Sponsors** Sen. Frank Niceley / Rep. Kevin Dunlap

**Description** Deletes the statement that nothing in the Professional Educators Collaborative Conference Act of 2011 requires collaborative conferencing.

**Senate Status** 04/01/2015 - Failed in Senate Education Committee after adopting amendment 1 (004256).

**House Status** 04/07/2015 - Taken off notice in House Education Administration and Planning Committee.

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**SB1304 / HB1130 Creates the teacher evaluation advisory committee.**

**Sponsors** Sen. Frank Niceley / Rep. Matthew Hill

**Description** Revises the teacher evaluation advisory committee membership and duties. Deletes the current teacher evaluation criteria. Terminates the existence of the teacher evaluation advisory committee on June 30, 2017.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**SB1305 / HB1128 Criteria for using the word "university."**

**Sponsors** Sen. Frank Niceley / Rep. John J. Deberry Jr.

**Description** Defines "university" as a postsecondary educational institution authorized by an accreditor approved by the United States department of education to confer undergraduate and graduate or professional degrees. Establishes that that no accredited postsecondary educational institution may use the word "university" in its name without meeting the requirement of a "university" and certain other requirements. Establishes that no postsecondary educational institution may confer academic degrees without being approved by an accrediting body recognized by the United States department of education to offer such a degree.

**Senate Status** 04/01/2015 - Senate Education Committee deferred to summer study.

**House Status** 04/07/2015 - House Education Administration and Planning Committee deferred to summer study.

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**SB1307 / HB908 Virtual Schools Act - reimbursing families for certain costs.**

**Sponsors** Sen. Frank Niceley / Rep. Dennis Powers

**Description** Clarifies that nothing in the "Virtual Schools Act" prohibits a virtual school from reimbursing families for reasonable costs, instead of any costs, associated with their Internet connections for use in the virtual school program.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB1308 / HB1117 State salary schedule computations outlined.**

**Sponsors** Sen. Paul Bailey / Rep. David Alexander

**Description** Requires that each step of the state salary schedule for licensed personnel be at least equal to the 2012–2013 schedule increased by 1.5%. Prohibits implementation of the state salary schedule from resulting in the reduction of a salary of a teacher employed by LEA. Adds other revisions to the computation of the salary schedule.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB1309 / HB1282 Report - use of psychotropic drugs to treat children.**

**Sponsors** Sen. Frank Niceley / Rep. Billy Spivey

**Description** Clarifies that the state board's report on LEAs' policies on the use of psychotropic drugs to treat children enrolled in elementary or secondary schools must be reported to the general assembly no later than January 1, 2016.

**Senate Status** 04/01/2015 - Taken off notice in Senate Education Committee.

**House Status** 03/31/2015 - Taken off notice in House Education Instruction and Programs Subcommittee.

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**SB1373 / HB577 Database of persons certified to drive a school bus.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Requires county boards of education to submit the names of persons certified to drive school buses to the department of safety in order to be notified when a certified person's driver license is suspended or revoked. Requires child care agencies to submit the names of persons transporting children to the department of safety in order to be notified when the driver license of a person who transports children is suspended or revoked. Provides that a county board of education, upon receiving notification from the department of a suspended

driver license, shall suspend the person's certificate to drive a school bus.

**Amendment** House Transportation Committee amendment 1 (004202) substitutes local education authority for county board of education. Mandates DOS to add an additional \$20 fee to any person applying for a school bus endorsement on their driver's license.

**Senate Status** 02/19/2015 - Referred to Senate Transportation & Safety Committee.

**House Status** 03/31/2015 - House Transportation Committee recommended with amendment 1 (004202). Sent to House Education Administration and Planning Committee.

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**SB1386 / HB1328 Requires department of education to report on driver's education.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Joe E. Armstrong

**Description** Requires the department of education to annually report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Instruction and Programs Subcommittee.

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**SJR59 Education on the potential health impact of heavy backpacks.**

**Sponsors** Sen. Dolores R. Gresham

**Description** Recommends all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** *None*

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**SJR80 Opposition to a national school board.**

**Sponsors** Sen. Bill Ketron

**Description** Urges opposition to a national school board and supports passage of the Every Child Ready for College or Career Act.

**Senate Status** 02/11/2015 - Referred to Senate Education Committee.

**House Status** *None*

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**SJR83 Textbook & Instructional Materials Quality Commission appointment.**

**Sponsors** Sen. Ron Ramsey

**Description** Confirms appointment of Robert Kyle Mallory to the State Textbook and Instructional Materials Quality Commission.

**Senate Status** 03/09/2015 - Senate bumped from consent.

**House Status** *None*

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**SR8 Confirmation of appointment to the TBR - Leigh Shockey.**

**Sponsors** Sen. Dolores R. Gresham

**Description** Confirms the appointment of Leigh Shockey to the Tennessee Board of Regents.

**Senate Status** 03/24/2015 - Signed by Senate speaker.

**House Status** *None*

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**HJR16 Education on the potential health impact of heavy backpacks.**

**Sponsors** Rep. John J. Deberry Jr.

**Description** Recommends all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury.

**Senate Status** *None*

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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## **HJR23 "Year of Science Education" in Tennessee.**

**Sponsors** Rep. Harry Brooks

**Description** Designates 2016 as the "Year of Science Education" in Tennessee.

**Amendment** HOUSE AMENDMENT 1 (003522) makes technical changes. HOUSE AMENDMENT 2 (003681) adds language to the enacting clause stating that the General Assembly established the first state legislative STEM Education Caucus.

**Senate Status** 04/08/2015 - Signed by Senate speaker.

**House Status** 04/08/2015 - Signed by House speaker.

**Executive Status** 04/09/2015 - Sent to governor.

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## **HJR75 Study on LEAs requirement for physical activity of student.**

**Sponsors** Rep. Joe Pitts

**Description** Requests the department of education to study and report on ways local education agencies are implementing the requirements of Tennessee Code Annotated, Section 49-6-1021, which requires 90 minutes of physical activity per week.

**Senate Status** 04/08/2015 - Signed by Senate speaker.

**House Status** 04/08/2015 - Signed by House speaker.

**Executive Status** 04/09/2015 - Sent to governor.

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## **Entertainment - 1**

### **SB1054 / HB1210 Outlines offense of fraudulent activity regarding buying bulk tickets.**

**Sponsors** Sen. Mark Green / Rep. Barry Doss

**Description** Clarifies that any person unable to purchase a ticket as a result of a violation of the offense of interference with the sale of tickets is considered a victim of the offense. Clarifies that victim of offense has standing to file a criminal complaint. Declares it an unfair and deceptive act or practice under the Consumer Protection Act to commit the offense of interference with the sale of tickets when the commission of the offense causes a person to be unable to purchase a ticket.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/24/2015 - Referred to House Business & Utilities Subcommittee.

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## **Environment & Nature - 1**

### **SB68 / HB246 Liability protection to landowners for recreational activities.**

**Sponsors** Sen. John Stevens / Rep. Andrew Farmer

**Description** Extends liability protections to landowners who have activities involving sporting clays, shooting sports, and target shooting, including archery and shooting range activities, occurring on their property.

**Senate Status** 02/18/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0053 effective April 6, 2015.

**Public Chapter** PC53

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## **Family Law - 31**

### **SB75 / HB65 Regulations involving the rights of adoptive and foster families.**

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**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Adds new section that requires the department to release certain information, about children adopted from the department's guardianship, to the adoptive family. Establishes regulations, involving child abuse/neglect, for the foster parent or parents. Part of Administration Package.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB76 / HB66 Annual reports on foster children and child care agencies.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Consolidates department of children's services annual reports for commitment data, foster care, and child care agencies into one report. Specifies that report shall be provided to the judiciary committee of the senate and civil justice committee of the house of representatives every year on or before January 31. Removes the requirement that the department report on the shifting responsibility for children moving from one placement to another. Part of Administration Package.

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB101 / HB90 Forgiving accrued principal and interest on child support.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Authorizes child support obligor to enter into a written compromise and settlement to forgive accrued principal and interest on delinquent child support balance with the approval of the court and the obligee. Specifies the requirements and procedures for entering into a child support settlement agreement. Requires child support settlement to be in the best interests of the child or children. Part of Administration Package.

**Amendment** Senate amendment 1 (004046) grants an obligor or obligee the right to compromise and settle a child support arrearage balance owed directly to the obligee if the court approves the compromise. Specifies that a compromise can only be used to forgive accrued principal and interest on delinquent child support with the approval of the obligee in writing and cannot include any monies owed to the State of Tennessee or any other state. Requires the Department of Human Services, or its contractors, to be a party to the action in all Title IV-D cases. Eligibility for the compromise and settlement of child support arrearages is based on the obligor's full payment of the child support obligation for a minimum of 12 months immediately preceding the compromise and settlement. Requires the program to operate uniformly across the state and shall take into consideration the needs of the child or children and the obligor's ability to pay.

**Senate Status** 03/16/2015 - Senate passed with amendment 1.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB161 / HB609 Divorce - marital property treated as separate property.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Mike Carter

**Description** Requires account balances, accrued benefits, or other values of vested and unvested pension benefits, vested and unvested stock option rights, retirement and other fringe benefits relating to employment prior to the date of marriage together with the appreciation of the value be treated as separate property for purposes of division of property in a divorce or legal separation. Provides that in determining appreciation in related cases, the court shall

utilize any reasonably reliable method of attributing postmarital appreciation to the value of the premarital benefits, regardless of whether contributions were made to the account and contributions have appreciated in value during the marriage. Establishes requirements for withdrawing such assets for the purpose of acquiring separate assets of the employee spouse or marital assets.

**Amendment** House amendment 1 (004217) deletes the language "reasonably reliable method of attributing postmarital appreciation" and substitutes instead the language "reasonable method of accounting to attribute postmarital appreciation".

**Senate Status** 04/06/2015 - Senate concurred in House amendment 1 (004217), which deletes the language "reasonably reliable method of attributing postmarital appreciation" and substitutes instead the language "reasonable method of accounting to attribute postmarital appreciation".

**House Status** 04/01/2015 - House passed with amendment 1.

**Executive Status** 04/01/2015 - Sent to the speakers for signatures.

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**SB165 / HB697 Increase notice from 3 to 5 days before transfer to criminal court.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Requires that a child and the child's parents, guardian, or custodian receive five days' notice instead of three before a hearing to transfer the child from juvenile court to criminal court.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - House Civil Justice Subcommittee deferred to 2016.

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**SB372 / HB219 Services provided by DCS.**

**Sponsors** Sen. Sara Kyle / Rep. Sherry Jones

**Description** Requires that all services, not just the focus of the services that are provided by the department of children's services, shall further the best interest of the child. Broadly captioned.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/06/2015 - House passed.

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**SB400 EGG and SPERM Act.**

**Sponsors** Sen. Joey Hensley

**Description** Defines various terms as they relate to egg and sperm donation, and assisted reproductive technology. Requires oocyte (female genetic material) collection agencies, sperm banks, and assisted reproductive technology (ART) programs to report certain information to department of health. Specifies that commissioner of health must set collection and reporting rules, and maintain contact information for oocyte collection agencies, sperm banks, and ART programs. Requires commissioner to set reasonable fee for these service providers. Requires these service providers to inform each potential donor, in writing, of any potential conflict of interest. Establishes the civil penalties these service providers could face for failing to give the required information to entitled parties or for violating any of the rules set forth. Clarifies that no donor will be penalized for being induced to accept or accepting valuable consideration for egg or sperm donation. (10 pp.)

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** *None*

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**SB440 / HB445 Removes right of revocation of the surrender of a child for adoption.**

**Sponsors** Sen. Ferrell Haile / Rep. Jeremy Faison

**Description** Removes person's right to revoke surrender of a child for adoption. Allows judge to revoke

or invalidate surrender by court order if judge determines by clear and convincing evidence that the surrender involved duress, fraud, or intentional misrepresentation or if revocation is in child's best interests. Makes various technical revisions to reflect removal of person's right to revoke surrender. Specifies that at the time of surrender the judge must inform person that there is no right to revoke surrender. Requires surrender form provided filled out by surrendering parent to state that the surrender cannot be revoked.

**Amendment** House amendment 1, Senate amendment 1 (004596) rewrites this bill to reduce the time for revoking a surrender from 10 to three calendar days following the surrender, whereas under present law a person who executed a surrender in regard to the person's child may revoke the surrender at any time within 10 calendar days of the date of the surrender. Removes the provision providing that if the tenth day falls on a Saturday, Sunday, or legal holiday, the last day for the revocation will be the next day that is not a Saturday, Sunday, or legal holiday.

**Senate Status** 03/30/2015 - Senate concurred in House amendment 1 (004596), which reduces the time for revoking a surrender from 10 to three calendar days following the surrender.

**House Status** 03/24/2015 - House Transportation Committee deferred to 3/31/15.

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#### **SB460 / HB1200 Reporting - TN informational clearinghouse on teenage pregnancy.**

**Sponsors** Sen. Mike Bell / Rep. John Ragan

**Description** Requires only the department of health to report at least once annually to the judiciary committee and the civil justice committee concerning administration of the Tennessee informational clearinghouse on teenage pregnancy.

**Amendment** Senate amendment 1 (004048) deletes statute requiring each state department that administers to children and families to jointly report to the Senate Judiciary Committee and the House of Representatives' Civil Justice Subcommittee on the administration of the Tennessee information clearinghouse on teenage pregnancy. Removes requirement of the Department of Children's Services to conduct ongoing evaluations of family preservations and support services and to report on its finding to the appropriate legislative committees.

**Senate Status** 03/19/2015 - Senate passed with amendment 1.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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#### **SB550 / HB14 Third party presence for a DCS child interview at school.**

**Sponsors** Sen. Frank Niceley / Rep. Sheila Butt

**Description** Requires that in the course of an investigation regarding child abuse, any interview of a child by the department of children's services must be done in the presence of a third party. If the school employs a school resource officer, then that officer shall be present; otherwise either a school counselor, school nurse, or other faculty member shall be present.

**Senate Status** 03/17/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 01/17/2015 - Referred to House Civil Justice Subcommittee.

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#### **SB558 / HB15 DCS - notifying law enforcement agency.**

**Sponsors** Sen. Janice Bowling / Rep. Sheila Butt

**Description** Requires the Department of Children's Services to immediately notify the proper jurisdictional law enforcement agency, when it is reasonably foreseeable, that an investigation by the department will likely result in a criminal prosecution. Requires the notification to include a statement that the department will fully cooperate with the law enforcement agency and district attorney general.

**Senate Status** 02/12/2015 - Referred to Senate Judiciary Committee.



**SB623 / HB665 Food stamps - eligibility prohibitions for convicted drug felons.**

**Sponsors** Sen. Steve Southerland / Rep. David B. Hawk

**Description** Revokes Tennessee's previous decision to allow persons convicted for possession, use, or distribution of controlled substances to be eligible for the food stamp and the Families First programs. Specifies that persons convicted of such crimes are ineligible for food stamp and Families First programs in accordance with federal law.

**Senate Status** 02/18/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/19/2015 - Referred to House Health Subcommittee.

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**SB646 / HB13 DHS - food stamps work requirement waiver.**

**Sponsors** Sen. Bill Ketron / Rep. Sheila Butt

**Description** Prohibits the department of human services from seeking, applying for, accepting, or renewing a waiver from the work requirements of the food stamp program under federal law.

**Senate Status** 02/18/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 01/17/2015 - Referred to House Health Subcommittee.

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**SB668 / HB829 Restraining order to be served before release.**

**Sponsors** Sen. Sara Kyle / Rep. Johnnie Turner

**Description** Requires that where an order of protection or restraining order is granted, prior to release, against an offender arrested for stalking, aggravated stalking, or a domestic violence offender, the offender must be served with the order prior to release. Specifies that orders granted after the offender's release should be served on the offender as soon as possible after release. Requires copy of the order of protection or restraining order to be issued to any other court in which the respondent and petitioner are parties to an action.

**Senate Status** 04/08/2015 - Senate Judiciary Committee deferred to 2016.

**House Status** 04/06/2015 - House passed.

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**SB681 / HB811 Restricts return of child to parent when removed due to drug abuse.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Mary Littleton

**Description** Provides that, in a private custody case, when a child is removed from custody of parent due primarily to parent's drug abuse, the child cannot be returned to the parent until the parent has complied with certain criteria that demonstrates a commitment to responsible parenting.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB684 / HB704 Permits certain elderly people to petition a court for visitation.**

**Sponsors** Sen. Mark Green / Rep. Bud Hulsey

**Description** Permits a biological or adoptive great-grandparent or the spouse thereof to petition a court for grandparent visitation.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 03/23/2015 - House passed.

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**SB697 / HB308 Termination of parental rights - sex trafficking conviction.**

**Sponsors** Sen. John Stevens / Rep. Leigh Rosser Wilburn

**Description** Provides that parental rights may be terminated if a parent or guardian is convicted of the offense of the sex trafficking of children under federal law or under the law of another state. Specifies that the conviction must take place on or after July 15, 2015.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/01/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB797 / HB599 Requirements prior to granting marital separation actions.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Requires a court to find adequate provision for the settlement of child custody and support, property rights, and apportionment of debts before granting any marital dissolution agreement, marital separation agreement, or agreed permanent parenting plan, in addition to divorce.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/12/2015 - Referred to House Civil Justice Subcommittee.

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**SB809 / HB950 Data reporting requirements - assisted reproductive technologies.**

**Sponsors** Sen. Joey Hensley / Rep. Susan Lynn

**Description** Establishes certain disclosure and information and data reporting requirements regarding assisted reproductive technologies. Allows commissioner to promulgate rules for (1) collection and reporting of data, (2) maintain certain public records, (3) promulgate rules specifying the timing, procedures, and format for reporting data. Requires department to collect and report certain information regarding oocyte collection agencies, sperm banks, and ART programs. Prohibits oocyte collection agencies, sperm banks, or ART programs to operate without providing the required information from the commissioner. (10pp.)

**Senate Status** 02/18/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/31/2015 - Taken off notice in House Health Subcommittee.

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**SB812 / HB960 Distribution of marital property.**

**Sponsors** Sen. Joey Hensley / Rep. David B. Hawk

**Description** Allows the court, in all actions for divorce or legal separation, to assign the marital property between the parties without regard to marital fault in proportions as the court deems just or equitably divide, distribute, or assign the property between the parties based on marital fault in proportions the court deems just.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Civil Justice Subcommittee.

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**SB859 / HB924 DCS - reporting findings to the department's abuse registry.**

**Sponsors** Sen. Frank Niceley / Rep. G.A. Hardaway

**Description** Requires DCS to determine whether reported child abuse was indicated or unfounded and report its findings to the department's abuse registry within 45 days instead of 60 days. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/11/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB946 / HB957 Reporting child support owed by person subject to license revocation.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Requires the department of human services to include the total amount of overdue child support owed by obligors subject to license revocation in the annual report to the general assembly and the governor.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB1089 / HB218 Custody of child when parent charged with aggravated child abuse.**

**Sponsors** Sen. Lee Harris / Rep. Sherry Jones

**Description** Prohibits court from awarding any form of custody to a parent who is charged with or indicted for aggravated child abuse, child sexual abuse, or severe child sexual abuse. Specifies that a parent being indicted for, or charged with, aggravated child abuse, child sexual abuse, or severe child sexual abuse is a material change in circumstances for the purpose of modifying any existing custody orders.

**Amendment** House Amendment 1 (005741) rewrites the bill. Specifies that a parent under indictment for aggravated child abuse, child sexual abuse, or severe child sexual abuse the parent is presumed to present a substantial risk of harm to the child. Prohibits the parent under indictment for one of these offenses to be granted any form of custody unless the presumption of substantial risk of harm to the child is overcome, except the court may grant supervised visitation with the child. Specifies that indictment for one of these offenses constitutes a material change in circumstances for the purpose of modifying existing child custody orders.

**Senate Status** 04/08/2015 - Senate passed.

**House Status** 04/06/2015 - House passed with amendment 1 (005741), which rewrites the bill. Specifies that a parent under indictment for aggravated child abuse, child sexual abuse, or severe child sexual abuse the parent is presumed to present a substantial risk of harm to the child. Prohibits the parent under indictment for one of these offenses to be granted any form of custody unless the presumption of substantial risk of harm to the child is overcome, except the court may grant supervised visitation with the child. Specifies that indictment for one of these offenses constitutes a material change in circumstances for the purpose of modifying existing child custody orders.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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**SB1145 / HB1122 Use of global positioning monitoring system on a delinquent juvenile.**

**Sponsors** Sen. Reginald Tate / Rep. Raumesh Akbari

**Description** Authorizes juvenile court to condition release of child detained for an unruly or delinquent act on use of a global positioning monitoring system (GPS) device. Requires judge to make finding that use of GPS is a necessary and effective way to protect the child, or protect others from child. Specifies which GPS methods can and cannot be used on juveniles. Requires parents of juvenile to pay the cost associated with operating and monitoring the GPS unless indigent, in which case costs are paid out of interlock assistance fund. Specifies that juvenile may be detained for tampering with the GPS device.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - House Civil Justice Subcommittee deferred to 2016.

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**SB1162 / HB999 The Achieving a Better Life Experience Act.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Steve McManus

**Description** Enacts "The Achieving a Better Life Experience (ABLE) Act" of 2015. Establishes ABLE program to aid eligible individuals to save money to meet the individual's disability expenses. Authorizes the state treasurer various powers and authorities to carry out objectives of the program. Specifies various limits and regulations to an individual's accounts within the program. Specifies exceptions as to when personal information about an individual's account can be disclosed. (10pp.)

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/07/2015 - House Insurance & Banking Committee recommended. Sent to House Government Operations.

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**SB1206 / HB565 Clarifies legislative intent of foster care statute.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Sherry Jones

**Description** Clarifies that the intent of the foster care statute is to place a child in a permanent home at an early date if an early return to the child's parents is not appropriate in addition to not being possible as provided in current statute.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/12/2015 - Referred to House Civil Justice Subcommittee.

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**SB1207 / HB562 DCS to release info regarding an investigation of a near fatality.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Sherry Jones

**Description** Requires the department of children's services to release information regarding an investigation of a near fatality, including the child's age, gender, and whether the child has a history with the department, within five days of the occurrence. Requires the department to release the final disposition of the case following the final classification of child abuse or neglect near fatality.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB1375 / HB1243 Domestic abuse - officer must determine whether child is abuse victim.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Requires law enforcement officers to determine if a child is a victim of abuse or neglect when responding to an alleged domestic abuse incident during which a child may have been present. Requires officer to report to department of children's services if it is determined that the child is a victim of abuse or neglect.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/18/2015 - Failed in House Civil Justice Subcommittee.

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**SB1393 / HB1369 Adoption services by DCS available to additional persons.**

**Sponsors** Sen. Jeff Yarbrow / Rep. John Mark Windle

**Description** Requires the adoption services provided by the department of children's services to be made available to all families of adopted children and biological families of adopted children, regardless of whether the children were adopted through the department.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - House Civil Justice Subcommittee deferred to 2016.

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**HJR51 Child Abuse Prevention Month.**

**Sponsors** Rep. Ryan Williams

**Description** Designates April 2015 as "Child Abuse Prevention Month."

**Senate Status** 03/30/2015 - Senate concurred.

**House Status** 03/09/2015 - House adopted.

**Executive Status** 04/02/2015 - Signed by governor.

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**HJR57 Technology and information access for Tennesseans with disabilities.**

**Sponsors** Rep. Gerald McCormick

**Description** Affirms commitment to equal right to technology and information access for Tennesseans with disabilities.

**Senate Status** *None*

## Government Organization - 40

### **SB210 / HB344 Continues permanent rules filed with secretary of state.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Continues permanent rules filed with the secretary of state after January 1, 2014. Specifies that the board of optometry rule 1045-02-.17, relative to the prohibition upon the practice of optometry in or in conjunction with any retail store or other commercial establishment, expire on the effective date of the act.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 04/07/2015 - House Government Operations Committee recommended. Sent to House Calendar & Rules.

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### **SB213 / HB336 Terminates the advisory committee on women's health.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Terminates the advisory committee on women's health, with no subsequent wind-down year.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0030 effective March 27, 2015.

**Public Chapter** PC30

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### **SB214 / HB337 Sunset - advisory council for education of students with disabilities.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the advisory council for education of students with disabilities to June 30, 2020.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0005 effective March 19, 2015.

**Public Chapter** PC5

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### **SB215 / HB329 Sunset - advisory council on teacher education and certification.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the advisory council on teacher education and certification to June 30, 2021.

**Amendment** Senate amendment 1 (003493) terminates the advisory council on teacher education and certification.

**Senate Status** 03/12/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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### **SB217 / HB338 Sunset - board for professional counselors.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the board for professional counselors, marital and family therapists, and clinical pastoral therapists to June 30, 2019. Clarifies that nominations from professional groups for appointment to the board are permissive.

**Amendment** Senate amendment 1, House Government Operations Committee amendment 1 (004005) adds the Tennessee Licensed Professional Counselors Association to list of groups that may submit nominations for appointments to the board.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/26/2015 - House passed.  
**Executive Status** 04/09/2015 - Signed by governor.

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**SB218 / HB339 Sunset - board of alcohol and drug abuse counselors.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the board of alcohol and drug abuse counselors to June 30, 2019. Clarifies that nominations from professional groups for appointment to the board are permissive.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0006 effective March 19, 2015.

**Public Chapter** PC6

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**SB225 / HB342 Board of Trustees of baccalaureate education trust fund program.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the board of trustees of the baccalaureate education system trust fund program to June 30, 2019.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0008 effective March 19, 2015.

**Public Chapter** PC8

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**SB226 / HB350 Sunset - Bureau of TennCare.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the bureau of TennCare to June 30, 2019. Requires the board to report to the Government Operations Joint Evaluation Committee on Judiciary and Government no later than September 20, 2015, to update the Committee on the Bureau's progress in addressing the findings set forth in the December 2014 performance audit report.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0031 effective March 27, 2015.

**Public Chapter** PC31

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**SB231 / HB364 Sunset - department of education.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the department of education to June 30, 2019.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB232 / HB365 Sunset - department of environment and conservation.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the department of environment and conservation to June 30, 2019.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 03/27/2015 - Signed by governor.

**Public Chapter** PC17

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**SB233 / HB366 Sunset - department of health.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the department of health to June 30, 2019 and requires the department to report

back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0018 effective March 27, 2015.

**Public Chapter** PC18

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**SB234 / HB367 Sunset - department of labor and workforce development**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends department of labor and workforce development to June 30, 2019. Requires department to report back to government operations joint evaluation committee on commerce, labor, transportation, and agriculture concerning the findings in its 2013 single performance audit report.

**Senate Status** 02/23/2015 - Withdrawn in Senate.

**House Status** 03/03/2015 - Taken off notice in House Government Operations Committee.

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**SB240 / HB377 Sunset - medical advisory committee.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the medical advisory committee to June 30, 2018.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0010 effective March 19, 2015.

**Public Chapter** PC10

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**SB242 / HB378 Sunset - medical payment committee.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the medical payment committee to June 30, 2018.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0011 effective March 19, 2015.

**Public Chapter** PC11

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**SB245 / HB331 Sunset - perinatal advisory committee.**


**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the perinatal advisory committee to June 30, 2019.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0004 effective March 19, 2015.

**Public Chapter**  PC4

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**SB253 / HB330 Sunset - commission on children and youth.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the commission on children and youth to June 30, 2020.

**Amendment** Senate amendment 1 (004713) eliminates the commission's requirement to write impact statements on bills affecting children and youth.

**Senate Status** 04/01/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - House concurred in Senate amendment 1 (004713), which eliminates the commissions requirement to write impact statements on bills affecting children and youth.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB254 / HB327 Sunset - TCRS board of trustees.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee consolidated retirement system, board of trustees to June 30, 2019.

**Amendment** Senate amendment 1 (003782) requires members on the council to attend at least 50% of the council meetings. Revokes membership for those who attend less than 50% of the council meetings. Prohibits special interests from nominating members of the board.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0035 effective March 27, 2015.

**Public Chapter** PC35

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**SB255 / HB333 Sunset - council for the deaf, deaf-blind, and hard of hearing.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee council for the deaf, deaf-blind, and hard of hearing to June 30, 2020.

**Amendment** Senate amendment 1 (003434) ensures citizens placed on board are attending the meetings.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0036 effective March 27, 2015.

**Public Chapter** PC36

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**SB256 / HB387 Sunset - TN economic council on women.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee economic council on women to June 30, 2019.

**Amendment** House amendment 1 (004721) decreases the economic council extension from June 30, 2019 to June 30, 2017.

**Senate Status** 03/04/2015 - Failed in Senate Government Operations Committee (3-4).

**House Status** 04/02/2015 - House passed with amendment 1 (004721), which decreases the economic council extension from June 30, 2019 to June 30, 2017.

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**SB257 / HB334 Sunset - Tennessee health information committee.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee health information committee to June 30, 2017. Clarifies that nominations from professional groups for appointment to the committee are permissive.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0065 effective April 6, 2015.

**Public Chapter** PC65

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**SB258 / HB385 Sunset - Tennessee peace officers standards and training commission.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee peace officers standards and training commission to June 30, 2019.

**Amendment** Senate Amendment 1 (003397) provides that the two members appointed by the general assembly shall be full voting members. Allows a designee of the attorney general and reporter to have serve on the commission instead.

**Senate Status** 03/02/2015 - Senate passed with amendment 1.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0037 effective March 27, 2015.

**Public Chapter** PC37

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**SB259 / HB345 Sunset - Tennessee state veterans' homes board.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Tennessee state veterans' homes board to June 30, 2019.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB260 / HB324 Sunset - traumatic brain injury advisory council.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the traumatic brain injury advisory council to June 30, 2019.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/09/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0002 effective March 19, 2015.

**Public Chapter** PC2

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**SB268 / HB355 Sunset - Delta human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Delta human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB269 / HB356 Sunset- extends East TN human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the East Tennessee human resource agency to June 30, 2021.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB270 / HB357 Sunset - first Tennessee human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the first Tennessee human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

---

**SB271 / HB369 Sunset - Mid-Cumberland human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Mid-Cumberland human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB272 / HB370 Sunset - Northwest Tennessee human resource agency.**

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**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Northwest Tennessee human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB273 / HB371 Sunset - South Central Tennessee human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the South Central Tennessee human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB274 / HB372 Sunset - Southeast Tennessee human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Southeast Tennessee human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB275 / HB373 Sunset - Southwest Tennessee human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Southwest Tennessee human resource agency to June 30, 2021.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB276 / HB374 Sunset - Upper Cumberland human resource agency.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the Upper Cumberland human resource agency to June 30, 2021. Requires representatives of the agency to report back to the committee concerning the findings in its 2014 performance audit report.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB364 / HB1195 State administration of refugee resettlement program.**

**Sponsors** Sen. Mark Green / Rep. John Ragan

**Description** Requires the department to negotiate with the federal office of refugee resettlement to reacquire state administration of the refugee resettlement program.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to 2016 after adopting amendment 1 (005721).

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**SB737 / HB667 Increases job experience requirement for commissioner of DIDD.**

**Sponsors** Sen. Steve Southerland / Rep. David B. Hawk

**Description** Increases minimum prior administrative experience required of a commissioner of intellectual and developmental disabilities from five years to six years. Broadly captioned.

**Senate Status** 03/25/2015 - Failed in Senate Health & Welfare Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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**SB768 / HB835 Creates the civil justice reform commission.**

**Sponsors** Sen. Ken Yager / Rep. Mike Carter

**Description** Creates the civil justice reform commission to study possible reforms to increase access to the civil justice system. Specifies selection of members. Requires the commission to report findings and recommendations to the senate judiciary committee, civil justice committee of the house, governor, and supreme court by January 1, 2016.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/18/2015 - Referred to House Study Committee Subcommittee.

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**SB773 / HB984 Membership of state insurance committee.**

**Sponsors** Sen. Mae Beavers / Rep. Courtney Rogers

**Description** Adds one representative and one senator as members of the state insurance committee, to be appointed by the respective speakers. Provides that those members shall serve two-year terms. Provides that the speakers shall ensure that one of the members is a republican, while the other is a democrat.

**Senate Status** 02/18/2015 - Referred to Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

**Executive Status** 03/23/2015 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

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**SB1083 / HB641 Interagency council on homelessness.**

**Sponsors** Sen. Lee Harris / Rep. Jason Powell

**Description** Establishes an interagency council on homelessness, composed of members appointed by the governor, for the purpose of addressing the issue of homelessness in the state. Provides that the responsibilities of the council shall include surveying current resources for services provided to individuals facing homelessness, and coordinating with state, local and private entities to provide such individuals with information on services available to assist them.

**Senate Status** 03/18/2015 - Senate Government Operations Committee deferred to 3/25/15.

**House Status** 03/18/2015 - Taken off notice in House State Government Subcommittee.

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**SB1243 / HB1186 Sunset - department of labor and workforce development.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Extends the department of labor and workforce development to June 30, 2019, and requires the department to report back to the committee concerning the findings in its 2014 single audit report.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB1295 / HB982 Reestablishes oversight committees on TennCare & children's services.**

**Sponsors** Sen. Joey Hensley / Rep. Matthew Hill

**Description** Reestablishes the legislative oversight committees on TennCare and on children's services. Specifies members, oversight powers, and required reports. (12 pp.)

**Senate Status** 02/19/2015 - Referred to Senate Delayed Bills Committee.

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**SB1390 / HB1206 Tennessee council on autism spectrum disorder.**

**Sponsors** Sen. Doug Overbey / Rep. Ryan Williams

**Description** Terminates current autism spectrum disorder task force and creates the Tennessee council on autism spectrum disorders. Specifies how many members the council will have, which commissioners sit on the council, and how other members are chosen. Details the duties of the council. Specifies when the council will terminate. Broadly captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Government Operations Committee.

**House Status** 02/24/2015 - Referred to House Health Subcommittee.

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**Government Regulation - 10**

**SB6 / HB57 Racial Profiling Prevention Act.**

**Sponsors** Sen. Brian K. Kelsey / Rep. John J. Deberry Jr.

**Description** Enacts the "Racial Profiling Prevention Act." Requires each state and local law enforcement agency to adopt, on or before January 1, 2016, a written policy that prohibits racial profiling.

**Amendment** Senate amendment 1, House Criminal Justice Committee amendment 1 (003462) redefines the definition of "racial profiling" as the detention or interdiction of an individual in traffic contacts, field contacts, or asset seizure and forfeiture efforts solely on the basis of the individual's actual or perceived race, color, ethnicity, or national origin.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB24 / HB234 Climbing walls are not amusement devices.**

**Sponsors** Sen. Jack Johnson / Rep. Gerald McCormick

**Description** Specifies that climbing walls used for sport and fitness training are not considered "amusement devices" and are not subject to regulation by the department of labor and workforce development.

**Amendment** House Business & Utilities amendment 1, Senate Amendment 1 (003562) specifies that all climbing walls are not considered "amusement devices" and are not subject to regulation by the department of labor and workforce development, instead of only those climbing walls used for sport and fitness training, located in educational facilities, gymnasiums, recreational facilities, or other facilities devoted to sport and recreational activities, training, or instruction.

**Senate Status** 03/02/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB474 / HB787 Prohibits requirement for fire sprinkler in townhouses.**

**Sponsors** Sen. Mike Bell / Rep. Ryan Williams

**Description** Exempts the requirement of fire sprinkler systems for townhouses. Defines "townhouses" and requires them to be considered a separate building with independent exterior walls separated by a two-hour fire resistance rated wall assembly. Requires townhouses to be built according to local and statewide adopted building codes.

**Amendment** House Business & Utilities Committee amendment 1, Senate amendment 1 (004568) specifies that a townhouse must be built according to local and statewide adopted building codes, but that a fire sprinkler system will not be required for a townhouse. Allows local governments to adopt mandatory sprinkler requirements for townhouses by local ordinance

if passed by a two-thirds vote.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB493 / HB1124 Certain rules proposed by agency require public hearing before filing.**

**Sponsors** Sen. Mike Bell / Rep. Jeremy Faison

**Description** Prohibits an agency that has filed an emergency rule from filing a proposed rule on the same subject without first holding a public rulemaking hearing.

**Senate Status** 03/11/2015 - Taken off notice in Senate Government Operations Committee.

**House Status** 02/23/2015 - Referred to House Government Operations Committee.

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**SB786 / HB1339 EBT card cannot purchase certain tobacco products.**

**Sponsors** Sen. Mae Beavers / Rep. Terri Lynn Weaver

**Description** Prohibits recipients of public assistance benefits from using an EBT card at a tobacco retailer to purchase certain tobacco products. Prohibits tobacco retailers from permitting the purchase of tobacco products or nicotine products with an EBT card. Requires the department of human services to notify public assistance recipients of this prohibition and impose appropriate penalties for using an EBT card in a prohibited business location.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 04/08/2015 - House Health Committee recommended. Sent to House Calendar & Rules.

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**SB825 / HB937 State departments and agencies - reports on federal funds.**

**Sponsors** Sen. Paul Bailey / Rep. Judd Matheny

**Description** Requires every state department and agency to develop an annual report detailing all federal funds received by, or passed through, the department or agency and to submit the report to each member of the general assembly by January 1 of each year.

**Senate Status** 04/06/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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**SB1218 / HB530 Prohibits disclosing social security number unless authorized.**

**Sponsors** Sen. Mike Bell / Rep. Bill Dunn

**Description** Prohibits a local entity from publicly disclosing the social security number of a citizen unless authorized to do so under certain circumstances; extends the prohibition to a person or entity receiving a social security number from the local entity.

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB1220 / HB1199 Subcommittees of government operations - power to stay rules.**

**Sponsors** Sen. Mike Bell / Rep. John Ragan

**Description** Specifies that subcommittees of the senate or house government operations committees may exercise the same powers to stay the effective dates of rules and make recommendations expressing disapproval of a rule as the full committees during rule review hearings.

**Senate Status** 03/11/2015 - Taken off notice in Senate Government Operations Committee.

**House Status** 03/17/2015 - Taken off notice in House Government Operations Committee.

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**SB1349 / HB1249 Statement on financial impact of rules.**

**Sponsors** Sen. Randy McNally / Rep. David Alexander

**Description** Requires, upon the filing of any rule with the secretary of state, the comptroller of the

treasury to include a statement of financial impact. Includes related revisions to the determination of the fiscal impact of proposed rules and regulations.

**Senate Status** 02/19/2015 - Referred to Senate Government Operations Committee.

**House Status** 03/25/2015 - Taken off notice in House State Government Subcommittee.

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**SB1391 / HB1272 Obsolete language regarding commission on children and youth.**

**Sponsors** Sen. Doug Overbey / Rep. Harold Love Jr.

**Description** Removes obsolete language relative to the initial appointments made to the commission on children and youth.

**Amendment** House Civil Justice Committee amendment 1 (005443) adds a new section to the original bill. Grants the members of the Commission the authority to appoint the executive director, instead of the Governor. Deletes statute establishing the executive director's compensation shall be fixed by the Governor.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**Health Care - 61**

**SB13 Informed consent for abortions.**

**Sponsors** Sen. Mae Beavers

**Description** Revives and reenacts the informed consent statute for abortion that was in effect prior to Planned Parenthood of Middle Tennessee, et al. v. Sundquist. Sets forth the criteria for truly informed consent that must be satisfied before an abortion can be performed.

**Senate Status** 01/17/2015 - Referred to Senate Judiciary Committee.

**House Status** *None*

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**SB17 / HB115 Services for people with intellectual disabilities.**

**Sponsors** Sen. Bill Ketron / Rep. Bob Ramsey

**Description** Requires that persons with intellectual disabilities on the waiting list for services be enrolled in the self-determination waiver within six months when their custodial parent or custodial caregiver attain the age of 75.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**SB21 / HB723 Exception to prohibition against opioids and benzodiazepines.**

**Sponsors** Sen. Mae Beavers / Rep. Mark Pody

**Description** Creates an exception to the prohibition against prescribing opioids or benzodiazepines in quantities greater than a 30-day supply, but not more than a 90 day supply, if certain conditions are met.

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred to 2016.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**SB44 / HB33 Testing for lysosomal disorders in newborns.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Bill Dunn

**Description** Adds lysosomal disorders, including Krabbe, Fabry, Gaucher, Pompe, Hurler Syndrome and Niemann-Pick, to the list of disorders that must be tested for newborns.

**Amendment** Senate Health & Welfare Committee Amendment 1, House Insurance & Banking Committee amendment 1 (004045) names the act the "Mabry Kate Webb Act."

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/07/2015 - House Insurance & Banking Committee recommended with amendment 1 (004045), which names the act "Mary Kate Webb Act." Sent to House Government Operations.

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**SB50 Abortions in ambulatory surgical treatment centers.**

**Sponsors** Sen. Mark Green

**Description** Revises definition of "ambulatory surgical treatment centers" to include private physicians' and dentists' offices in which one or more medical or surgical pregnancy terminations are performed.

**Senate Status** 01/17/2015 - Referred to Senate Judiciary Committee.

**House Status** *None*

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**SB85 / HB75 Extends the tax on intermediate care facilities.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Extends the tax on intermediate care facilities to July 15, 2017. Current law has the tax terminating on July 15, 2015. Changes references to "intermediate care facility for the mentally retarded (ICF/MR)" to say instead "intermediate care facility for individuals with intellectual disabilities (ICF/IID)." Part of Administration Package.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB97 / HB86 Registration to store or provide logistics for controlled substances.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires a third-party logistics provider to obtain registration from the board of pharmacy and the appropriate occupational or professional licensing board in order to manufacture, distribute, dispense, warehouse, or provide logistics services in connection with any controlled substance. Defines "distribute," "wholesaler," "distributor," "third-party logistics provider," and "wholesale distribution." Part of Administration Package.

**Amendment** House Health Committee amendment 1 (003414), which rewrites the bill. Establishes various definitional changes. Defines "distribution," "wholesaler distribution," "wholesaler," "outsourcing facility," and "third-party logistics provider." Specifies that transfers and sales of drugs or devices from one licensed pharmacy to another do not constitute distribution or wholesale distribution of drugs or devices. SENATE HEALTH & WELFARE COMMITTEE amendment 1 (003689) makes various changes to definitions provided in the original bill. Adds and defines "outsourcing facility." Specifies that transfers and sales of drugs or devices from one licensed pharmacy to another do not constitute distribution or wholesale distribution of drugs or devices.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended with amendment 1 (003689), which rewrites bill. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB98 / HB87 Access to medical records by commissioner of health.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires that the commissioner of health or the commissioner's designee, upon request by the commissioner or designee, be given access to medical records in order to facilitate investigations and inquiries when responding to an immediate threat to public health. Specifies that electronic access shall be limited to the duration of the outbreak, event, or time in which the public health is under immediate threat as determined by the commissioner. Part of Administration Package.

**Amendment** Senate amendment 1 (003857) limits electronic access to medical records to the minimum time necessary during the event, outbreak, or time that the public health is under immediate threat.

**Senate Status** 03/12/2015 - Senate passed with amendment 1.

**House Status** 04/02/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to governor.

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**SB112 / HB101 Licensure of settings for home-based and community-based services.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Authorizes the board for licensing healthcare facilities and certain departments to amend licensure rules to be consistent with federal regulations pertaining to home-based and community-based settings. Part of Administration Package.

**Amendment** Senate Amendment 1 (004687) specifies the federal rule referenced in the original bill as the final rule published in the Federal Register at 79 FR 2947 on January 16, 2014 and makes technical correction to code citation.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 04/02/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to governor.

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**SB115 / HB104 TennCare - changes provisions on reporting information to the Bureau.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Requires notification to the appropriate state agency before a defendant, for the purpose of involuntary care and treatment, may be admitted by the court to a public hospital or treatment resource that has available suitable accommodations. Prohibits certain medical entities from delivering information that directly identifies a patient without consent. Requires the commissioner of health to consult with TennCare before requesting an early report of hospital statistics. Shortens the period TennCare enrollees and applicants have to update material changes in information from 30 days to 15 days. Broadly captioned. Part of Administration Package.

**Senate Status** 01/17/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 01/17/2015 - Referred to House Health Subcommittee.

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**SB125 / HB151 Creation of Annual Coverage Assessment Act of 2015.**

**Sponsors** Sen. Doug Overbey / Rep. Michael Harrison

**Description** Creates the Annual Coverage Assessment Act of 2015. Defines annual coverage assessment as the annual assessment imposed on covered hospitals. Establishes an annual coverage assessment in the amount of four and fifty-two hundredths percent of a covered hospital's annual coverage assessment base.

**Amendment** Senate Health & Welfare Committee amendment 1, House Health Committee amendment 1 (004027) deletes all language after the enacting clause and enacts the "Annual Coverage Assessment Act of 2015." Establishes an annual coverage assessment on hospitals of 4.52 percent of a covered hospital's annual coverage assessment base and is required to be paid in equal quarterly installments. Requires Bureau of TennCare to send a notice of payment and a return form to each covered hospital 30 days prior to the payment date. Imposes a penalty of \$500 a day on a hospital that does not pay the assessment by the due date. Subjects the covered hospital to disciplinary action under the licensing laws applicable to the hospital. Authorizes prorated payments for a covered hospital that ceases operation after the effective date of the Act. Prohibits a TennCare managed care organization from implementing across the board reductions in rates that are in existence on July 1, 2015, for hospitals and physicians by category or type of provider, unless mandated by the Centers



for Medicare and Medicaid Services (CMS). Establishes a Maintenance of Coverage Trust Fund consisting of all annual coverage assessment collections and investment earnings credited to the assets of the Fund. Requires assessment payments, investment earnings, and federal matching funds to be available to the Bureau and only expended for benefits and services that would have been subject to reductions or eliminations from the FY14-15 TennCare budget; for refunds to hospitals for payments of assessments or penalties to the Bureau through error, mistake, or a determination that the payment was invalidly imposed; for reimbursements to hospitals to offset losses for services provided to TennCare enrollees (assessment payments only); and payments and expenditures in the TennCare program from funds remaining in the Fund as of June 30, 2015 to replace reductions included in the FY15-16 proposed budget and to increase the reimbursement for services provided to enrollees covered by TennCare Select and CoverKids. Specifies that implementation of the annual coverage assessment is dependent upon approval of additional hospital payments by CMS; a determination by CMS that the payments will not reduce federal participation in the TennCare program; and full implementation of hospital payment rate variation corridors established by the state's actuary and approved by the Bureau of TennCare for payments by managed care organizations to hospitals for services provided to TennCare enrollees. Exempts critical access hospitals, state mental health hospitals, rehabilitation and long-term care acute hospitals, St. Jude Children's Research Hospital, and the state and local government hospitals from the annual coverage assessment. Requires TennCare, beginning September 1, 2015, and on a quarterly basis thereafter, to report the status of the determination and approval by CMS, the balance of the Fund, and the extent to which the funds have been used, to both of the Finance, Ways and Means Committees, the Senate Health and Welfare Committee, and the House Health Committee (22pp.).

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB157 / HB31 Deletes Intractable Pain Treatment Act.**

**Sponsors** Sen. Janice Bowling / Rep. Ryan Williams

**Description** Deletes the "Intractable Pain Treatment Act." Broadly captioned.

**Amendment** Senate amendment 1 (003416) clarifies that in addition to the Board of Medical Examiners, the Board of Osteopathic Examination and the Board of Nursing must repeal any rules promulgated as a result of the IPTA.

**Senate Status** 02/26/2015 - Senate passed with amendment 1.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/07/2015 - Enacted as Public Chapter 0026 effective July 1, 2015.

**Public Chapter** PC26

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**SB201 / HB1101 Supervision of physician assistants by supervising physicians.**

**Sponsors** Sen. Rusty Crowe / Rep. Timothy Hill

**Description** Deletes language that allows a supervising physician to have complete and absolute authority over any action of a physician assistant. Specifies that a supervising physician continue to provide proper supervision and control of the physician assistant.

**Senate Status** 02/23/2015 - Senate passed.

**House Status** 04/09/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB284 / HB440 Reimbursing physicians - pending a credentialing application.**

**Sponsors** Sen. Richard Briggs / Rep. David Byrd

**Description** Establishes process for reimbursing physicians for services rendered during the pendency of

a credentialing application before a health insurance entity.

**Amendment** Senate Commerce & Labor Committee amendment 1, House Insurance & Banking Committee amendment 1 (005715) rewrites the bill. Requires insurers who have an existing contract with a medical group practice to provide a list of all the documentation required for credentialing of a new provider. Requires insurer to provide certain notice to an applicant within 5 days. An insurer must notify the applicant of the results within 90 days. Requires insurer to pay claims at the in-networks rate during the period between when the application is complete and when the provider is approved. Excludes TennCare, CoverKids, AccessTN, and other F & A healthcare programs from the provisions of the bill.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee recommended with amendment 1 (005715). Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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### **SB307 / HB894 DIDD to seek approval from the family support council.**

**Sponsors** Sen. Steven Dickerson / Rep. Kevin Brooks

**Description** Requires the department of intellectual and developmental disabilities (DIDD) to seek approval from the family support council before making changes to the administration of the family support program. Provides that information gathered through the family support program on persons needing or receiving services shall be provided to DIDD on a quarterly basis. Requires the council to coordinate activities with district and local councils, and to perform other duties to ensure implementation of the family support program.

**Amendment** House Health Committee amendment 1, Senate amendment 1 (004251) specifies that DIDD must adopt policies and procedures regarding the development of appropriations requested for family support. Additionally, this amendment requires that, unless the commissioner determines an exigent circumstance exists, DIDD must seek the state family support council's input prior to adopting policies and procedures regarding the topics described in (2)-(6). Present law requires that, in accordance with policies and procedures developed and adopted by the family support council and DIDD, information gathered through the family support program on persons with a developmental disability, other than an intellectual disability, for whom comprehensive home and community-based services are needed shall be provided to DIDD on a quarterly basis. This bill requires that the information concerning recipients of "services", rather than "home and community-based services" be provided to the department on at least a quarterly basis.

**Senate Status** 04/01/2015 - Senate passed with amendment 1.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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### **SB309 / HB536 Decreases penalty for practicing medicine or surgery without license.**

**Sponsors** Sen. Steven Dickerson / Rep. Sabi Kumar

**Description** Decreases offense of practicing medicine or surgery without license, or without complying with other statutory requirements for the practice of medicine or surgery, to a Class C misdemeanor. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/18/2015 - Referred to House Health Subcommittee.

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### **SB319 / HB288 Personal support services agencies licensure.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Specifies that mental health and developmental disability services or facilities that are in compliance with a license issued by another state agency do not need to be licensed by the department of intellectual or developmental disabilities. Requires licensed personal support service agency to designate population it proposes to serve. Part of Administration Package.

**Amendment** SENATE AMENDMENT 1 (003667) which rewrites Section 1 of the original bill and requires licensed personal support service agencies to designate the population it proposes to serve at the time of licensing and eliminates the requirement for dual licensing by the Department of Mental Health and Substance Abuse Services (DMHSAS) and the Department of Intellectual and Developmental Disabilities (DIDD). Authorizes personal support agencies licensed by either department to serve individuals with physical or other disabilities. Requires the departments to work together to ensure that licensure standards for personal support services agencies are appropriate across all populations that may be served and are consistently applied. Specifies that the licensing entity will be determined based on the larger population served by the agency as of the effective date of the act, or the larger population anticipated to be served by the agency at the time of the licensure application.

**Senate Status** 03/23/2015 - Senate passed with amendment 1.

**House Status** 03/30/2015 - House passed.

**Executive Status** 04/02/2015 - Sent to governor.

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**SB358 / HB867 Physician's referral for mammography screening be to a radiologist.**

**Sponsors** Sen. Steven Dickerson / Rep. David Shepard

**Description** Specifies that a physician's referral for mammography screening be to a radiologist or other lawfully appropriate provider.

**Amendment** House Insurance & Banking Committee amendment 1, Senate Commerce & Labor Committee amendment 1 (005758) rewrites the bill. Prohibits an insurer from contacting a patient about a change referral to a different provider unless: (1) the ordering provider is notified and is provided an opportunity to give a particular preference as to the provider of a requested service; (2) the ordering provider is notified that the patient elects a different provider; and (3) it is disclosed to the patient that they have a right to discuss the change of referral with the provider before the appointment is changed. Provides that the bill does not prohibit the insurer from contacting patients about out-of-network referrals and costs. Makes this a violation of the Unfair Trade Practices and Unfair Claims Settlement Act.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee recommended with amendment 1 (005758). Sent to Senate Finance, Ways & Means Committee.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB367 / HB109 Radiological services and ambulatory surgical treatment centers.**

**Sponsors** Sen. Steven Dickerson / Rep. Dawn White

**Description** Requires an ambulatory surgical treatment center to provide radiological services commensurate with the needs of the center. Provides that if such services are utilized, the governing body of the center shall appoint a qualified individual to be responsible for assuring that the services are provided in accordance with applicable law and rules.

**Amendment** Senate amendment 1 (003672) specifies that any ambulatory surgical treatment centers that provide radiological services are to provide radiological staff services.

**Senate Status** 03/12/2015 - Senate passed with amendment 1.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0039 effective July 1, 2015.

**Public Chapter** PC39

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**SB409 / HB229 Authorizes pharmacies to participate in drug disposal program.**

**Sponsors** Sen. Doug Overbey / Rep. David Shepard

**Description** Enacts the "Pharmacy Drug Disposal Programs Act of 2015." Authorizes any Tennessee licensed based pharmacy located within the state may voluntarily participate in a pharmacy drug disposal program. Designates the pharmacist in charge as the person responsible for

deciding whether the pharmacy participates in a pharmacy drug disposal program. Exempts the pharmacy practice from liability regarding any theft, robbery, or other criminal activity related to the participation in the program. Requires the board of pharmacy to maintain a list of Tennessee licensed pharmacies located within this state that participate in the pharmacy drug disposal program.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0040 effective March 27, 2015.

**Public Chapter** PC40

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#### **SB429 / HB896 Achieving a Better Life Experience (ABLE) Act.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Kevin Brooks

**Description** Enacts the "Achieving a Better Life Experience (ABLE) Act, which is intended to encourage and assist individuals and families that are saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence and quality of life, and to provide funding to assist such persons with disability-related expenses, while not supplanting benefits acquired through private insurance, the Social Security Act or any other TennCare program. Provides that an eligible individual means someone who is either disabled or blind, and the onset of their disability must have occurred before becoming 26 years of age. Authorizes eligible individuals to participate in the Qualified ABLE account plan (plan) to create an ABLE account (account), which shall consist of contributions to the account by individuals and entities for the purpose of paying qualified disability expenses. Establishes that all assets, income and distributions of qualified account plans are exempt from state and local taxes. Establishes that the department of intellectual and developmental disabilities shall administer the plan and take necessary action to maintain the qualifications required under the federally instituted Achieving a Better Life Experience Act of 2014. Provides that the plan shall consist of: (1) contributions received by the department from designated beneficiaries or contributors to ABLE accounts or from any other source, whether public or private; (2) interest and investment income earned by the plan; (3) any monetary gift made by an individual by testamentary disposition; and (4) all other receipts of the department from any other source that the department deems appropriate. Establishes that contributions to an account are subject to the same requirements established under the federally enacted Achieving a Better Life Experience Act of 2014, which provides that the total annual amount of contributions shall not exceed \$14,000. Outlines other responsibilities of the commissioner and the department regarding the implementation of the act. (13 pp.)

**Senate Status** 02/11/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/19/2015 - Referred to House Health Subcommittee.

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#### **SB431 / HB211 Telemedicine - information transferred for utilization review.**

**Sponsors** Sen. Richard Briggs / Rep. Sabi Kumar

**Description** Removes medical information used for utilization review from the list of activities that do not constitute the practice of medicine, if that information is transferred, electronically or through any telephonic means, from a patient to another person in another state who is not licensed to practice medicine or osteopathy in the state of Tennessee but intends to use that information to treat or diagnose the patient.

**Senate Status** 02/11/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/11/2015 - Referred to House Health Subcommittee.

**Executive Status** 03/23/2015 - Joint Council on Pensions and Insurance released to standing committees with

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**SB506 / HB895 Reduces the amount a medical provider may charge for certain reports.**

**Sponsors** Sen. Jack Johnson / Rep. Kevin Brooks

**Description** Reduces the amount a medical provider may charge an employee for medical reports, medical records, or documents relating to a workers' compensation claim from \$10.00 for the first 20 pages to \$10.00 for the first 30 pages.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 02/19/2015 - Referred to House Consumer & Human Resources Subcommittee.

**Executive Status** 03/16/2015 - Workers' Compensation Advisory Council deferred to next meeting.

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**SB521 / HB861 Enacts the "Tennessee Healthcare Improvement Act of 2015.**

**Sponsors** Sen. Joey Hensley / Rep. Michael Harrison

**Description** Enacts the "Tennessee Healthcare Improvement Act of 2015." Establishes physician-led patient care teams to oversee the practice of advanced practice registered nurses. Allows advanced practice registered nurses to be given more tasks and to be more specialized in certain areas. Authorizes some advanced practice registered nurses who are appropriately specialized to fill out and issue prescriptions. (17pp.)

**Senate Status** 02/12/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/19/2015 - Referred to House Health Subcommittee.

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**SB570 / HB403 Reduces time period for TennCare applicants to mail changes.**

**Sponsors** Sen. Steven Dickerson / Rep. Bob Ramsey

**Description** Reduces from 30 days to 15 days the period of time for an applicant for TennCare to mail documentation of a material change affecting the application. Broadly Captioned.

**Amendment** Senate amendment 1, House Health Committee Amendment 1 (004777) rewrites the bill to enact the "Opioid Abuse Reduction Act." This amendment requires the commissioner of mental health and substance abuse services to convene a working group to examine the problem of opioid abuse in this state, with a primary focus on persons enrolled in TennCare, and the potential impact of the use of FDA-approved abuse-deterrent opioids. The working group must include representatives of TennCare, the Tennessee department of safety, the Tennessee department of health, the healthcare insurance industry, manufacturers of abuse-deterrent opioids, law enforcement, the Tennessee medical association, and other persons whom the commissioner may deem appropriate. The full text of this amendment lists subjects that the working group will examine. Any costs associated with participation in the working group will be borne by the individual participants or their respective associations or companies and not by the state of Tennessee, except for those who are employed by this state. No later than January 1, 2016, the working group must submit a report regarding its findings and recommendations to the governor, the insurance and banking committee of the house of representatives, and the commerce and labor committee of the senate, at which time the working group will cease to exist. SENATE AMENDMENT 2 (005359) adds the health committee of the house of representatives and the health and welfare committee of the senate to whom the working group will have to submit its report.

**Senate Status** 03/30/2015 - Senate passed with amendment 1 (004777) and amendment 2 (005359).

**House Status** 04/08/2015 - House Health Committee recommended with amendment (004777), which specifies that a study will be conducted that looks at whether the costs of using abuse-deterrent opiates is outweighed by healthcare costs savings. Requires report on study to be submitted to governor, the insurance and banking committee of the house of representatives

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and the commerce and labor committee of the senate by January 1, 2016. Sent to House Calendar & Rules.

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**SB587 / HB1344 Impact of Chapter 820 of the Public Acts of 2014.**

**Sponsors** Sen. Reginald Tate / Rep. Terri Lynn Weaver

**Description** Requires the commissioner of health to consult with the district attorneys general conference, the board of medical examiners, the board for licensing health care facilities, and the commissioner of mental health and substance abuse services concerning the impact of Chapter 820 of the Public Acts of 2014 on the utilization of health care and healthcare facilities by women who illegally use narcotic drugs while pregnant. Requires the commissioner of health to report to the health and welfare committee of the senate and the health committee of the house concerning the findings of the commissioner and the commissioner's recommendations on or before January 15, 2016

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**SB615 / HB674 Information required in pamphlet for newborn testing.**

**Sponsors** Sen. Joey Hensley / Rep. Courtney Rogers

**Description** Requires information disseminated by the department of health about the confidentiality of the birth defects registry to participating perinatal centers that will be made available to the families shall be made available in a pamphlet. Provides that such information, along with other information on programs provided by the department regarding genetic screening and birth defects, shall be provided to families to review and sign, acknowledging receiving the information. Provides that a newborn screening specimen taken for testing shall be kept for one year for the physicians to request additional testing.

**Amendment** House amendment 1 (003926) deletes requirement for family to review and sign an acknowledgement of receiving information about newborn testing prior to any testing. Removes requirement that specimen and form with identifying information be kept separate and clarifies that both should be destroyed after one year. Deletes section substituting "person" for "healthcare provider" in existing statute.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended with amendment 1 (003926), which deletes requirement for family to review and sign an acknowledgement of receiving information about newborn testing prior to any testing. Removes requirement that specimen and form with identifying information be kept separate and clarifies that both should be destroyed after one year. Deletes section substituting "person" for "healthcare provider" in existing statute. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House passed with amendment 1 (003926), which deletes requirement for family to review and sign an acknowledgement of receiving information about newborn testing prior to any testing. Removes requirement that specimen and form with identifying information be kept separate and clarifies that both should be destroyed after one year. Deletes section substituting "person" for "healthcare provider" in existing statute.

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**SB639 / HB600 Mental health hospitals - paying patients' healthcare services.**

**Sponsors** Sen. Jack Johnson / Rep. Jeremy Durham

**Description** Relieves any hospital primarily licensed for the purposes of providing mental health services from being responsible under any contract for payment of healthcare services which that hospital is not licensed to provide. Provides for billing of outside providers of healthcare services without the release of the patient from the mental health hospital.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**SB660 / HB561 Medical Cannabis Access Act.**

**Sponsors** Sen. Sara Kyle / Rep. Sherry Jones

**Description** Creates the Medical Cannabis Access Act. Establishes a program for patients with chronic or debilitating medical conditions to receive medical marijuana for their treatment. Specifies qualifying medical conditions include cancer; glaucoma; multiple sclerosis; human immunodeficiency virus; acquired immune deficiency syndrome; Hepatitis C; amyotrophic lateral sclerosis; Crohn's disease; post-traumatic stress disorder; Alzheimer's disease; and any other condition approved by the health department. Specifies that such patients must be enrolled in the Safe Access program and certified to receive the medical marijuana by the patient's practitioner. Requires qualifying patients receive a practitioner's finding that the potential benefits for medical cannabis would likely outweigh the health risks for that patient. Allows a pharmacy or regulated dispensary to issue the medical marijuana. Establishes a medical cannabis advisory committee, which shall be responsible for making recommendations to the general assembly regarding the use of medical cannabis in the state. (29 pp.)

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - House Criminal Justice Subcommittee deferred to summer study.

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**SB716 / HB948 Abortions in ambulatory surgical treatment centers.**

**Sponsors** Sen. Mark Green / Rep. Susan Lynn

**Description** Requires that abortions be performed in an ambulatory surgical treatment center (ASTC). Expands the definition of an ASTC to include private practices that perform abortions and subjects those private practices that perform abortion procedures to the adherence of regulations upon an ASTC.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**SB725 / HB660 Requires insurance to treat telehealth encounter same as in-person one**

**Sponsors** Sen. Mark Green / Rep. Jay D. Reedy

**Description** Clarifies that insurance coverage for healthcare services provided during a telehealth encounter shall be consistent with what the health insurance policy or contract provides for in-person encounters for the same service when the encounters use a licensed healthcare provider. Broadly captioned.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/19/2015 - Referred to House Insurance & Banking Subcommittee.

**Executive Status** 03/09/2015 - Taken off notice in Joint Council on Pensions and Insurance.

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**SB772 / HB991 Approvals for the final models for each episode of care.**

**Sponsors** Sen. Richard Briggs / Rep. Andrew Farmer

**Description** Requires the department of finance and administration to permit all healthcare providers participating in a technical advisory group for the Tennessee healthcare innovation initiative to review and approve the final model for each episode of care, including any codes or risk adjustment methodologies, before the bureau of TennCare and any other healthcare insurance entities begin generating data reports to be sent out to healthcare providers.

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred.

**House Status** 02/24/2015 - Referred to House Health Subcommittee.

**SB775 / HB2 Required ultrasound prior to abortion.**

**Sponsors** Sen. Mae Beavers / Rep. Rick Womick

**Description** Requires an ultrasound be performed not more than 72 hours and not less than 24 hours before the performance of an abortion. Requires the healthcare practitioner to verbally offer the pregnant woman an opportunity to view the ultrasound image and receive a printed copy. If the woman declines, the healthcare practitioner must provide: 1) a verbal explanation of the results, 2) a copy of the ultrasound image to the woman, and 3) an audible real-time heart beat for the woman to hear. Prohibits a provider from accepting any form of payment, deposit, or exchange or make any financial agreement for an abortion or abortion related services other than for payment of the ultrasound. Creates an exception for the ultrasound requirement where there is a medical emergency.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/31/2015 - House Health Subcommittee deferred to 2016.

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**SB801 / HB1266 Repeals the Medicaid Act of 1968.**

**Sponsors** Sen. Frank Niceley / Rep. Rick Womick

**Description** Repeals the Medicaid Act of 1968 and terminates Tennessee's participation in the Medicaid program.

**Senate Status** 02/12/2015 - Withdrawn in Senate.

**House Status** 02/24/2015 - Referred to House Insurance & Banking Subcommittee.

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**SB811 / HB143 Tennessee Right to Try Act.**

**Sponsors** Sen. Joey Hensley / Rep. Jon Lundberg

**Description** Enacts the "Tennessee Right to Try Act," which authorizes access to certain treatments for patients with an advanced illness. Allows a manufacturer of an investigational drug, biological product or device to make such item available to an eligible patient. Defines an "eligible patient" as an individual who has an advanced illness, who has considered all other currently approved treatment options, and who has given written, informed consent for the use of an investigational drug, biological product, or device. Specifies that the manufacturer may provide the investigational drug, biological product, or device without receiving compensation. Also, specifies that the manufacturer may require an eligible patient to pay the costs associated with the manufacture of the investigational drug, biological product, or device. Allows a health plan, third-party administrator, or governmental agency to provide coverage for the cost of the investigational drug, biological device or product. Clarifies that a hospital or health care facility is not required by this bill to provide new or additional services, unless such services are approved by the hospital or facility. Prohibits a state official or employee from blocking an eligible patient's access to an investigational drug, biological product or device.

**Amendment** HOUSE AMENDMENT 1, SENATE HEALTH AMENDMENT 1 (003755) requires an individual, who seeks to become an eligible patient, to assume no liability against the treating physician, licensed healthcare providers, hospital, and manufacturer of the investigational drug, biological product, procedure, or device. HOUSE AMENDMENT 2 (003909) requires a person to first attempt to be accepted into a clinical trial within 50 miles of the individual's home, and fail to be accepted within one week of applying to the trial. Adds definition for "adverse event." Requires a physician whose patient suffers an adverse event in response to the use of an investigation drug, biological product, or device to report the adverse event to the manufacturer. SENATE HEALTH AND WELFARE COMMITTEE AMENDMENT 2 (004694) requires that a person's advanced illness by



confirmed by a second physician in order to be an eligible patient. Adds language to the definition of "investigational drug, biological product, or device," which requires that it is documented by the National Institutes of Health as having passed phase 1 of a clinical trial. HOUSE AMENDMENT 3 (005468) names the bill the "Phil Timp-Amanda Wilcox Right to Try Act".

**Senate Status** 03/18/2015 - Senate Health & Welfare Committee recommended with amendments 1 and 2. Amendment 1 (003755) releases physician and health care facilities from liability. Amendment 2 (004694) requires a patient's advanced illness to be confirmed by a second doctor, and specifies that experimental treatments must be documented by the NIH as having passed Phase I of FDA clinical trials. Sent to Senate Calendar Committee.

**House Status** 04/02/2015 - House passed with amendments 1, 2 and 3. House amendment 1 (003755) requires an individual, who seeks to become an eligible patient, to assume no liability against the treating physician, licensed healthcare providers, hospital, and manufacturer of the investigational drug, biological product, procedure, or device. House amendment 2 (003909) requires a person to first attempt to be accepted into a clinical trial within 50 miles of the individual's home, and fail to be accepted within one week of applying to the trial. Adds definition for "adverse event." Requires a physician whose patient suffers an adverse event in response to the use of an investigation drug, biological product, or device to report the adverse event to the manufacturer. House amendment 3 (005468) names the bill the "Phil Timp-Amanda Wilcox Right to Try Act".

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#### **SB829 / HB929 Definition of nonresidential treatment center for opiate addiction.**

**Sponsors** Sen. Ken Yager / Rep. Dennis Powers

**Description** Revises the definition of nonresidential substitution-based treatment center for opiate addiction to require a certificate of need for certain centers offering treatment with products containing buprenorphine.

**Amendment** Senate amendment 1 (004470) deletes all language after the enacting clause and rewrites the bill to specifically include stand-alone clinics and treatment resources and to define "physical location" as real property on which a physical structure, whether or not that structure is attached, is located containing one or more units if used as a site for prescribing or dispensing methadone, products containing buprenorphine, or products containing other controlled substances designed to treat opiate addiction. Specifies that the private practitioner exemption for licensure by the Department of Mental Health and Substance Abuse Services does not apply to a private practitioner, prescriber, or prescribers operating a nonresidential substitution-based treatment center for opiate addiction.

**Senate Status** 03/26/2015 - Senate passed with amendment 1.

**House Status** 03/31/2015 - House Health Subcommittee deferred to summer study.

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#### **SB871 / HB1036 Addiction Treatment Act of 2015.**

**Sponsors** Sen. Steven Dickerson / Rep. Ryan A. Haynes

**Description** Enacts the "Addiction Treatment Act of 2015." Prohibits arresting, charging, or prosecuting any individual who, in good faith, seeks medical assistance for a drug overdose themselves, or seeks medical assistance for another person experiencing or believed to be experiencing a drug overdose. Prohibits (1) penalties for a violation of a protective or restraining order, and (2) sanctions for a violation of a condition of pretrial release, probation, parole. Specifies various limitations of the law. Allows certain products containing buprenorphine to be prescribed under various situations and sets limitations for the drug.

**Amendment** House Health Committee amendment 1 (004287) provides that the immunity from being arrested, charged or prosecuted applies to the person experiencing a drug overdose only on

the person's first such drug overdose.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/08/2015 - House Health Committee recommended with amendment 1 (004287), which provides that the immunity from being arrested, charged or prosecuted applies to the person experiencing a drug overdose only on the person's first such drug overdose. Sent to House Government Operations.

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**SB885 / HB1018 General assembly approval not needed for governor to expand medicaid.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Mike Stewart

**Description** Repeals requirement that the general assembly must authorize by joint resolution any expansion of optional enrollment in the medical assistance program, pursuant to the Patient Protection and Affordable Care Act.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee deferred to 2016.

**House Status** 03/31/2015 - House Health Subcommittee deferred to 2016.

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**SB985 / HB32 Sudden Cardiac Arrest Prevention Act.**

**Sponsors** Sen. Mark S. Norris / Rep. Curry Todd

**Description** Creates the Sudden Cardiac Arrest Prevention Act. Requires governing authorities engaged in school youth athletic activities and activity fee charging organizations engaged in community-based youth athletic activities to adopt programs to train and educate coaches, school administrators, youth athletes, and their parents or guardians of the nature, risk, and symptoms of sudden cardiac arrest.

**Amendment** Senate Amendment 1, House Health Committee amendment 1 (002328) adds "dizziness" to the SCA symptoms an athlete experiences which will require immediate removal from participating in an athletic activity. Establishes that any SCA symptoms experienced "immediately following an athletic activity" by an athlete will require evaluation and clearance from a health care provider prior to such athlete returning to any supervised team activities involving physical exertion. SENATE AMENDMENT 2, HOUSE HEALTH COMMITTEE AMENDMENT 2 (004527) changes the effective date of this bill, from July 1, 2015 to January 1, 2016.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 & 2. Amendment 1 (002328) adds "dizziness" to the SCA symptoms an athlete experiences which will require immediate removal from participating in an athletic activity. Establishes that any SCA symptoms experienced "immediately following an athletic activity" by an athlete will require evaluation and clearance from a health care provider prior to such athlete returning to any supervised team activities involving physical exertion. Amendment 2 (004527) changes the effective date of this bill, from July 1, 2015 to January 1, 2016.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB988 / HB693 Certain state agencies to collaborate on diabetes plans and reports.**

**Sponsors** Sen. Mark S. Norris / Rep. Raumesh Akbari

**Description** Requires the bureau of TennCare, the department of health, the department of human resources, and the department of finance and administration to jointly develop certain plans and reports concerning diabetes to be made to the health and welfare committee of the senate and the health committee of the house every two years.

**Amendment** Senate amendment 1, House Health Committee amendment 1 (004509) removes the department of human resources and: (1) Changes the date of the annual joint report from January 10 to February 1; (2) Removes the requirement that the report include the development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan identified in (4) above in the bill; and (3) Specifies that the role of

the department of health in developing the plans will be limited to primary prevention.

**Senate Status** 03/30/2015 - Senate passed with amendment 1.

**House Status** 04/08/2015 - House Health Committee recommended with amendment 1 (004509), which removes the department of human resources and: (1) Changes the date of the annual joint report from January 10 to February 1; (2) Removes the requirement that the report include the development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan identified in (4) above in the bill; and (3) Specifies that the role of the department of health in developing the plans will be limited to primary prevention. Sent to House Calendar & Rules.

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**SB1014 / HB629 Certified registered nurse anesthetist - prescribing of drugs.**

**Sponsors** Sen. Steven Dickerson / Rep. Mary Littleton

**Description** Revises the definition of "prescription order" and "professional nursing" to reflect the ability of certified registered nurse anesthetists (CRNA) are not required to order to select, order, and administer the appropriate drugs and related services during the perioperative period or to provide services in collaboration with a physician within the scope of the practice of CRNAs. Clarifies that orders for drugs and related services by a CRNA can only be administered where the anesthesia services are being provided. Defines "perioperative period" as it relates to CRNAs.

**Amendment** House Health Committee amendment 1 (004821) rewrites the bill. Revises existing statute relative to CRNA prescription orders and medication administration.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House Health Committee recommended with amendment 1 (004821), which rewrites the bill. Revises existing statute relative to CRNA prescription orders and medication administration. Sent to House Calendar & Rules.

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**SB1016 / HB425 Report on status of emergency medical services for children.**

**Sponsors** Sen. Steven Dickerson / Rep. Bryan Terry

**Description** Requires the joint report on the current status of emergency medical services for children prepared by the board for licensing health care facilities and the emergency medical services board, in collaboration with the committee on pediatric emergency care, to be submitted to the civil and criminal justice committees of the house, in addition to the health and welfare committee of the senate, the health committee of the house of representatives and the judiciary committee of the senate.

**Amendment** House State Government Committee amendment (005225) rewrites the bill. Authorizes healthcare providers to offer certain services to veterans in conjunction with the national guard.

**Senate Status** 04/06/2015 - Senate State & Local Government Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB1033 / HB539 Requires screening for cytomegalovirus for certain women and newborns.**

**Sponsors** Sen. Bill Ketron / Rep. Darren Jernigan

**Description** Requires a healthcare provider, who assumes responsibility over the prenatal care of a pregnant woman, to inform the woman regarding the cytomegalovirus. Requires the healthcare provider to test for CMV if a newborn fails the newborn hearing screen. Does not impose liability for failing to comply or create an additional duty of care or other legal obligation.

**Amendment** House Insurance & Banking Subcommittee amendment 1 (004368) specifies that a

healthcare provider, who assumes responsibility for the prenatal care of pregnant women during gestation or women who may become pregnant, shall inform women who, in the discretion of the healthcare provider, are at risk of complications regarding CMV. SENATE AMENDMENT 2 (004977) Deletes all language after the enacting clause. Requires a healthcare provider, who has assumed responsibility for the prenatal care of pregnant women during gestation or women who may become pregnant, to inform such women, who, in the discretion of the healthcare provider, are at risk of complications regarding Cytomegalovirus (CMV). Encourages healthcare providers to supply all other patients with information as to where they can learn about CMV. Removes language in the original bill requiring a CMV test be performed on a newborn before reaching 21 days of age if such newborn failed the newborn hearing screening.

**Senate Status** 03/26/2015 - Re-referred to Senate Calendar Committee after adopting amendment 2 (004977).

**House Status** 03/24/2015 - House Insurance & Banking Committee deferred to summer study.

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**SB1057 / HB1149 Requirements for CON application.**

**Sponsors** Sen. Mark Green / Rep. Bud Hulse

**Description** Requires that a free-standing emergency department be located no more than 50 miles from its sponsoring hospital for purposes of a certificate of need application.

**Senate Status** 02/19/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/03/2015 - Taken off notice in House Health Subcommittee.

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**SB1080 / HB551 Cost Accountability and Verification Act.**

**Sponsors** Sen. Lee Harris / Rep. Craig Fitzhugh

**Description** Enacts the "Cost Accountability and Verification Act." Requires all health insurance carriers to have an assessable toll-free telephone number and website. Requires health insurance carriers to provide estimated costs for what they will and will not cover within two business days upon request.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 04/01/2015 - Taken off notice in House Insurance & Banking Subcommittee.

**Executive Status** 03/23/2015 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

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**SB1112 / HB1184 Long-term care facilities required to use qualified licensed persons.**

**Sponsors** Sen. Doug Overbey / Rep. Ron Lollar

**Description** Requires the long-term care system to ensure that residents' needs in institutions are delivered by qualified licensed persons and that these institutions comply with similar building and fire codes as well as other regulations.

**Senate Status** 02/19/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/10/2015 - Taken off notice in House Health Subcommittee.

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**SB1124 / HB1209 State health insurance exchange.**

**Sponsors** Sen. Jeff Yarbro / Rep. Harold Love Jr.

**Description** Requires the state to establish a health insurance exchange under the federal Patient Protection and Affordable Care Act if King v. Burwell is decided by the United States supreme court in a certain manner.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee deferred to 2016.

**House Status** 04/01/2015 - Taken off notice in House Insurance & Banking Subcommittee.

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**SB1143 / HB1164 Commission to study lupus.**

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**Sponsors** Sen. Reginald Tate / Rep. Johnnie Turner

**Description** Creates a joint commission to study issues relative to lupus. Requires the committee to consist of three members of the house and three members of the senate, to be appointed by their respective speakers.

**Senate Status** 02/19/2015 - Referred to Senate Delayed Bills Committee.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**SB1161 / HB1134 Insurance voucher to expand Medicaid to 138 percent of poverty line.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Dennis Powers

**Description** Requires the commissioner of finance and administration to apply for a federal waiver to establish a health insurance voucher program that expands eligibility for Medicaid to 138 percent of the federal poverty line. Provides that the vouchers will be funded with an increase in the hospital assessment from 4.52 percent to six percent. Clarifies that the voucher program shall terminate if the Patient Protection and Affordable Care Act terminates and federal funding for this program is no longer available.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/17/2015 - Taken off notice in House Health Subcommittee.

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**SB1214 / HB976 Teledentistry - federally qualified health centers.**

**Sponsors** Sen. Jeff Yarbro / Rep. Matthew Hill

**Description** Adds federally qualified health centers to sites where dental hygienists may engage in preventive dentistry under a written protocol with a dentist. Authorizes examinations by a dentist under this protocol by means of teledentistry.

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred.

**House Status** 03/24/2015 - Failed in House Health Subcommittee.

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**SB1222 / HB977 Records physicians who perform abortions are required to keep.**

**Sponsors** Sen. Mae Beavers / Rep. Matthew Hill

**Description** Requires a physician who performs an abortion to maintain certain records for five years. Specifies that such requirement applies to any abortion procedure and not just operations.

**Amendment** House Health Committee amendment 1 (004425) rewrites the bill. Rewrites existing criminal statute relative to abortion to require informed consent and a 48 hour waiting period.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1. Sent to Senate Finance.

**House Status** 04/08/2015 - House Health Committee recommended with amendment 1 (004425), which rewrites the bill. Rewrites existing criminal statute relative to abortion to require informed consent and a 48 hour waiting period. Sent to House Calendar & Rules.

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**SB1227 / HB847 Boards for hospital & medical service corporations - restructuring.**

**Sponsors** Sen. Mike Bell / Rep. Jimmy Matlock

**Description** Restructures boards for hospital and medical service corporations organized prior to July 1, 1981. Requires such corporations to spend at least 92 percent of their premium payments on reimbursement of medical services and prohibits such corporations from spending more than eight percent of their gross revenue on overhead expenses.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/18/2015 - Referred to House Insurance & Banking Subcommittee.

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**SB1248 / HB1284 Permit electronic reports on opioids and controlled substances.**

**Sponsors** Sen. Steven Dickerson / Rep. Ryan Williams

**Description** Allows an electronic format for the annual TennCare report on the use and cost of opioids and controlled substances in the program to be sent to the health committee of the house of representatives and the senate health and welfare committee. Broadly captioned.

**Amendment** House Health Subcommittee recommended with amendment 1 (004482), which rewrites the bill. Establishes statutory language for medical cannabis with certain diagnoses and under defined circumstances. Permits the department to license individuals diagnosed with Stage 2, 3, or 4 cancer, Parkinson's disease, Huntington's disease, severe damage to one's spinal cord, and certain types of advanced epilepsy. Assigns authority to Department of Health. Defines certain terms. Establishes a board of physicians. Requires a secure electronic online regulatory reporting system. Requires written certification from the physician. Provides that registry identification cards will be issued by the department to individuals and that driving privileges will be surrendered. Requires growing and distribution organizations to be registered by the department. Permits for 6 growing facilities and some licensed dispensaries. Specifies department will certify labs to test cannabis and includes rulemaking authority by the department. Requires registered organizations to pay a 10% tax on gross sales. Incorporates HIPPA and confidentiality language. Senate Health & Welfare Committee amendment 1 (005949) would allow the use of medical marijuana for the treatment of certain medical diagnoses.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee deferred to summer study after adopting amendment 1 (005949), which would allow the use of medical marijuana for the treatment of certain medical diagnoses.

**House Status** 04/08/2015 - House Health Committee deferred to summer study.

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#### **SB1266 / HB1157 Pain management clinic requirements for medical directors and others.**

**Sponsors** Sen. Ken Yager / Rep. Bob Ramsey

**Description** Defines the terms certificate holder, medical director, and pain management specialist as they relate to pain management clinics. Revises qualifications for medical directors of pain management clinics and increases the time medical directors have to spend on site. Requires pain management clinics to obtain a certificate to operate which are only granted to an owner of a clinic who is also a certificate holder. Broadly captioned.

**Amendment** SENATE AMENDMENT 1, HOUSE HEALTH COMMITTEE AMENDMENT 1 (005362) rewrites the bill. Provides that anyone with an ownership interest in a pain management clinic shall be eligible to be the certificate holder. Redefines "medical director" to include an individual who is a pain management specialist on or after July 1, 2016. Redefines "pain management specialist" to provide further qualifications to be eligible. Establishes that all advanced practice nurses and physician assistants who practice in a certified pain clinic shall be supervised by a pain medicine specialist. Requires the commissioner of health, by January 1, 2016, to develop recommended treatment guidelines for prescribing opioids that can be used by prescribers as a guide for caring for patients, and to develop, by January 1, 2017, recommended pain clinic standards for the operation of a pain management clinic. Provides that the guidelines shall be submitted to the appropriate prescribing boards and the board of pharmacy, and each board shall notify its licensees of the existence of the standards. SENATE AMENDMENT 2 (005466) removes language concerning pain management specialists of whom are qualifies to take the ABPM exam. HOUSE HEALTH COMMITTEE AMENDMENT 2 (005789) extends the enacting date from July 1, 2016 to July 1, 2017 that physicians must be certified specialists.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 & 2. Amendment 1 (005362) rewrites the bill. Provides that anyone with an ownership interest in a pain management clinic shall be eligible to be the certificate holder. Redefines "medical director" to include an individual

who is a pain management specialist on or after July 1, 2016. Redefines "pain management specialist" to provide further qualifications to be eligible. Establishes that all advanced practice nurses and physician assistants who practice in a certified pain clinic shall be supervised by a pain medicine specialist. Requires the commissioner of health, by January 1, 2016, to develop recommended treatment guidelines for prescribing opioids that can be used by prescribers as a guide for caring for patients, and to develop, by January 1, 2017, recommended pain clinic standards for the operation of a pain management clinic. Provides that the guidelines shall be submitted to the appropriate prescribing boards and the board of pharmacy, and each board shall notify its licensees of the existence of the standards. Amendment 2 (005466) removes language concerning pain management specialists of whom qualifies to take the ABPM exam.

**House Status** 04/08/2015 - House Health Committee recommended with amendments 1 & 2. Amendment 1 (005362) rewrites the bill. Provides that anyone with an ownership interest in a pain management clinic shall be eligible to be the certificate holder. Redefines "medical director" to include an individual who is a pain management specialist on or after July 1, 2016. Redefines "pain management specialist" to provide further qualifications to be eligible. Establishes that all advanced practice nurses and physician assistants who practice in a certified pain clinic shall be supervised by a pain medicine specialist. Requires the commissioner of health, by January 1, 2016, to develop recommended treatment guidelines for prescribing opioids that can be used by prescribers as a guide for caring for patients, and to develop, by January 1, 2017, recommended pain clinic standards for the operation of a pain management clinic. Provides that the guidelines shall be submitted to the appropriate prescribing boards and the board of pharmacy, and each board shall notify its licensees of the existence of the standards. Amendment 2 (005789) extends the enacting date from July 1, 2016 to July 1, 2017 that physicians must be certified specialists. Sent to House Calendar & Rules.

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**SB1280 / HB1368 Requires certain abortion clinics to register as ambulatory centers.**

**Sponsors** Sen. Joey Hensley / Rep. Susan Lynn

**Description** Removes dentist office from the list of offices' that are excluded from the definition of ambulatory surgical treatment center.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - House Calendar & Rules Committee deferred to 04/16/15.

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**SB1287 / HB1216 Explanations justifying amount of drugs prescribed.**

**Sponsors** Sen. Joey Hensley / Rep. Barry Doss

**Description** Extends the time in which the top 50 prescribers of controlled substances must provide an explanation to the department of health justifying the amount of controlled substances they prescribed from 15 business days to 30 business days.

**Amendment** House Criminal Justice Committee amendment 1 (005798) deletes the language the top 50 prescribers of controlled substances and instead substitutes the top prescribers of controlled substances in the state and the top ten prescribers of controlled substances in all of the counties combined having a population of less than sixty five thousand. SENATE HEALTH & WELFARE COMMITTEE AMENDMENT 1 (004088) requires the top ten prescribers of controlled substances in all of the counties combined having a population of less than 50,000 according to the 2010 federal census to submit an explanation to the Department of Health (DOH) justifying the amounts of controlled substances prescribed and demonstrate that these amounts were medically necessary for the patients treated and

that the supervising physician reviewed and approved the prescribing amounts of advanced practice nurses and physician assistants. Currently this requirement is limited to the top fifty prescribers of controlled substances in the state.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/01/2015 - House Criminal Justice Committee recommended with amendment. Sent to House Health Committee.

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**SB1331 / HB322 Policies for the release of HIPAA compliant limited use data sets.**

**Sponsors** Sen. Randy McNally / Rep. Ryan Williams

**Description** Requires the commissioner of health to establish policies for the release of HIPAA compliant limited use data sets in regard to claims data by licensed hospitals and claims data discharge reports by ambulatory surgical treatment centers.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House Health Committee recommended. Sent to House Calendar & Rules.

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**SB1360 / HB150 Enforcement of tax before not-for-profit's final appeal for exemption.**

**Sponsors** Sen. Randy McNally / Rep. Michael Harrison

**Description** Clarifies that comments on public benefit hospital's conveyance transaction should be directed to the consumer advocate and protection division of the Attorney General's office. Authorizes not-for-profit hospital to electronically request conference regarding assessment of civil penalty for filing claims data discharge report late. Provides that commissioner of revenue may not seek enforcement of tax until the taxpayer's appeal for exemption is finally adjudicated. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/11/2015 - Referred to House Health Subcommittee.

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**SB1394 / HB1353 Develop plan to provide access to prenatal care.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Johnnie Turner

**Description** Directs the commissioner to develop a plan for ensuring that 90 percent of pregnant women in this state have access to prenatal care and to report findings to the health committee of the house and the health and welfare committee of the senate by February 1, 2016. Broadly captioned.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**HJR12 Importance of early intervention for children with apraxia of speech.**

**Sponsors** Rep. Bryan Terry

**Description** Recognizes the importance of early and intensive intervention to address the needs of children with apraxia of speech and the importance of supporting improved awareness of this health disorder.

**Senate Status** *None*

**House Status** 03/30/2015 - House adopted.

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**HJR47 Expresses support - women's access to full range of contraception.**

**Sponsors** Rep. Sherry Jones

**Description** Expresses support for efforts to ensure women have access to full range of contraception.

**Senate Status** *None*

**House Status** 02/09/2015 - Referred to House Health Subcommittee.

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**SB72 / HB61 Operation of health insurance exchange by state.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Prohibits the state from operating any American Health Benefit Exchange or any other health insurance exchange under the Patient Protection and Affordable Care Act contingent upon the outcome of King v. Burwell.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee deferred to 2016 after adopting amendment 1 (005617).

**House Status** 04/01/2015 - Taken off notice in House Insurance & Banking Subcommittee.

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**SB113 / HB102 Amends the Access Tennessee Act of 2006.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Redefines "creditable coverage" to mean coverage of an individual that provides the minimum essential coverage required under 26 U.S.C. 500A. Gives Access Tennessee the power to purchase policies of insurance. Current law only gives Access Tennessee the authority to issue policies of insurance. Removes language that deems a person ineligible for coverage if the pool has paid out \$1,000,000 in benefits on behalf of the person over the lifetime of the person or if the person has or obtains health insurance coverage substantially similar or more comprehensive than a pool policy. Also removes language that deems a person ineligible for coverage if the person's premium are paid for or reimbursed under any government sponsored program or by any government agency or health care provider. Specifies that the program shall offer at least one form of coverage to each eligible person. Also specifies that coverage may be modeled after one of the healthcare options offered to state employees or may combine a health savings account with a high deductible plan. Further states that coverage may be obtained through the commercial market. Makes other changes to the "Access Tennessee Act of 2006." Part of Administration Package.

**Amendment** Senate amendment 1 (004388) limits eligibility for coverage through the AccessTN program to those who are currently enrolled in the program prior to the effective date of the act.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 (004127), which limits eligibility for coverage through the AccessTN program to those who are currently enrolled in the program prior to the effective date of the act.

**House Status** 04/09/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB402 / HB426 Credentialing of health care providers.**

**Sponsors** Sen. Mark Green / Rep. Bryan Terry

**Description** Changes the number of days certain health insurance entities must notify the results from a provider's CAQH application from 90 days to 60 days. Changes the number of days certain health insurance entities must accept and begin processing a completed credentialing application from 120 days to 90 days.

**Senate Status** 02/11/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/18/2015 - Referred to House Insurance & Banking Subcommittee.

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**SB497 / HB475 Synchronization of medications.**

**Sponsors** Sen. Ferrell Haile / Rep. David Shepard

**Description** Authorizes the synchronization of a patient's medication under certain conditions where the pharmacist finds it to be in the best interest of the patient and the patient agrees to the

change. Prohibits insurance companies from denying coverage for a medication that has been provided in a synchronized manner, and allows a pharmacy to override denial codes for synchronization purposes. Provides that to permit synchronization, a policy or contract shall apply a prorated daily cost-sharing rate. Regulates other patient cost-sharing and pharmacist dispensing fees affected by a synchronization.

**Senate Status** 02/12/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/04/2015 - Taken off notice in House Insurance & Banking Subcommittee.

**Executive Status** 03/09/2015 - Taken off notice in Joint Council on Pensions and Insurance.

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#### **SB601 / HB746 Coverage for abuse-deterrent opioid analgesic.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Michael Harrison

**Description** Requires health insurance coverage to cover abuse-deterrent opioid analgesic drug products. Prohibits a health insurance entity from imposing a cost-sharing requirement on coverage. Prohibits a health insurance entity from requiring the covered individual first use an opioid analgesic drug product without abuse-deterrence labeling claims before providing coverage for an abuse-deterrent opioid analgesic drug; or increasing the cost-sharing requirements for all opioid analgesic drug products. Prohibits a health insurance entity from creating disincentives for prescribers or dispensers to discourage the prescribing or dispensing of abuse-deterrent opioids analgesic drug products.

**Senate Status** 02/12/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/19/2015 - Referred to House Insurance & Banking Subcommittee.

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#### **SB602 / HB643 Taxation rate on HMOs.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Increases the rate of tax imposed on HMOs doing business in this state on the gross amount of dollars collected from an enrollee or on an enrollee's behalf from five and one-half percent to six percent. Part of Administration Package.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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#### **SB726 / HB655 Utilization review agents' use of online provider portal.**

**Sponsors** Sen. Mark Green / Rep. Jay D. Reedy

**Description** Clarifies that a utilization review agency does not have to make current preauthorization requirements available on an online provider portal if the agent does not maintain an online provider portal.

**Senate Status** 03/03/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 02/19/2015 - Referred to House Insurance & Banking Subcommittee.

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#### **SB937 / HB963 Healthcare Provider Stability Act.**

**Sponsors** Sen. Bo Watson / Rep. Jon Lundberg

**Description** Creates the "Healthcare Provider Stability Act." Establishes requirements regarding material changes in fees or payment methodologies by a third-party payer or healthcare provider. Establishes process for certain third-party payer or healthcare provider to alter material changes regarding previously agreed payment terms.

**Amendment** JOINT COUNCIL ON PENSIONS AND INSURANCE AMENDMENT 1 (004145) deletes all language after the enacting clause. Prohibits a health insurance entity from making a change to a provider's fee schedule except for one-time during any 12-month period or if a health insurance entity and a hospital agree in writing to a change in the fee schedule. This prohibition does not apply to changes effected by federal or state government; certain reimbursements for drugs, immunizations, or injectables; changes due

to the provider's chargemaster under certain circumstances; any changes or additions to the list of Current Procedural Terminology (CPT) codes or Healthcare Common Procedure Coding System; and any changes or additions to revenue codes established by the National Uniform Billing Committee. Authorizes a health insurance entity to effect a change only to any policies, procedures, or methodologies on two dates, April 1 and October 1, of a given year except for limited exclusions included within the bill. These provisions of the bill do not apply to the state employee, local education, and local government insurance plans or the health plans administered by the Division of Health Care Finance and Administration, including TennCare, Cover Kids, and AccessTN. Establishes requirements between health insurance entities and healthcare providers and provider network contract amendments, including fee schedule disclosures and possible terminations of other network agreements based on a provider's decision. Creates reporting of alleged noncompliance procedures between the two parties. Requires health insurance entities to contract with independent reviewers to implement dispute resolution and the timeframes in which dispute procedures must be completed. Creates the Selection Panel for Health Insurance Reviewers and requires the Commissioner of Commerce and Insurance to appoint five individuals and a designee from the department. The panel will not be paid and will meet twice a year. The Commissioner will annually publish a report that includes the number of requests for independent reviews filed for each health insurance entity during the prior calendar year and generally report the outcome of these independent review requests. Requires health insurance entities to provide the payment or fee schedules and all other information sufficient to enable the healthcare provider to determine the manner and amount of payments under the contract prior to the final execution or renewal of the contract. The health insurance entity shall make available to the healthcare provider access, free of charge, to that provider's individual fee schedule in a format readily adaptable to the provider's practice management system. Requires health insurance entities to provide notice of any change to the provider's fee schedule within 90 days prior to the effective date of the change. Requires health insurance entities to maintain detailed descriptions and copies of coding guidelines, policies, methodologies, and processes that would impact coverage or payment of items and services that are expected to be applied to claims; information that will enable the provider to determine what effect the application of claims edits and payment rules will have on payment prior to the provider's providing an item or services or submitting a claim; and information that will enable the provider to determine the potential basis for the health insurance entity's claim denial, reduction, or delay; any additional documentation needed by the health insurance entity that is necessary for payment; and any patient data or act that is a precondition to claim payment. SENATE COMMERCE & LABOR COMMITTEE AMENDMENT 1 (005166) rewrites Section 3 of the amended bill to exclude TennCare and the state, local education or local government health insurance programs. HOUSE INSURANCE & BANKING COMMITTEE AMENDMENT 1 (005795) adds that insurance entities shall provide a healthcare provider access, free of charge, to that provider's individual fee schedule in a format that is downloadable. Requires health insurance entities to provide the fee schedule by (1) maintaining the schedule on a secure web site, or (2) delivering, at the provider's request, the schedule via email.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee recommended with amendment 1 (005166). Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

**Executive Status** 03/23/2015 - Joint Council on Pensions & Insurance approved with amendment (004145).

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**SB960 / HB1017 Coverage for autism spectrum disorders.**

**Sponsors** Sen. Sara Kyle / Rep. Mike Stewart

**Description** Revises the definition of "autism spectrum disorder" for purposes of required insurance coverage of autism spectrum disorder. Requires insurers to provide benefits and coverage for treatment of autism spectrum disorders that are at least as comprehensive as those provided for other neurological disorders. Requires such benefits and coverage for treatment to be provided to any person less than 16 years of age. Requires medically necessary behavioral therapy services to be covered by insurer and sets maximum benefit per year for such services.

**Senate Status** 03/10/2015 - Failed in Senate Commerce & Labor Committee for lack of motion.

**House Status** 02/24/2015 - Referred to House Insurance & Banking Subcommittee.

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## Judiciary - 54

### SB1 / HB142 Appellate court judges - appointment process.

**Sponsors** Sen. Brian K. Kelsey / Rep. Jon Lundberg

**Description** Establishes the procedure for the appointment, confirmation and retention of appellate court judges pursuant to Article VI, Section 3 of the Constitution of Tennessee. Provides that appellate judges shall be appointed by the governor and confirmed by the general assembly. Replaces the judicial nomination commission with the judicial confirmation committee, and outlines its organizational structure and duties with regards to the appointment of appellate judges. Establishes that upon receiving a recommendation through a resolution brought by a member of the judicial confirmation committee, both the house of representatives and senate shall vote to confirm or reject the appointee; if either of the two houses votes to reject the appointee, then the appointee is rejected regardless of whether the other houses votes on the question. Outlines the criteria to be followed for an incumbent appellate judge seeking reelection by retention. (15 pp.)

**Amendment** House Civil Justice Committee amendment 1 (002037) specifies the confirmation process of the legislature. Establishes requirements, rules, and procedures in order to, during, and following enjoining of a legislative convention in order to approve or reject a nomination from the governor. SENATE JUDICIARY COMMITTEE AMENDMENT 1 (006094) deletes all language after the enacting clause. Codifies a new procedure by which the Governor will appoint appellate judges for a full term or to fill a vacancy. The appointed individual will be subject to confirmation by the General Assembly. Appellate judges will serve an eight-year term, at the end of which the judge will be subject to retention in a regular August election. If appointed to fill a vacancy, the appellate judge will serve until the next regular August election, unless appointed less than 30 days before the next regular August election, in which case the appointee will fill the vacancy until the regular August election in the next calendar year. Judicial confirmation will occur via joint convention of the General Assembly within 60 days of (1) the date written notice of the appointment is received from the Governor if the General Assembly is in its annual legislative session when the notice is received; or (2) the date the next annual legislative session is convened if the general assembly receives written notice while it is not in its annual legislative session. The chairperson of the appropriate standing committee to which the governor's notice is referred may conduct a hearing, vote to confirm or reject the appointee, and submit a written report of the action taken to the applicable clerk.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1 (006094). Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB19 / HB52 Lump-sum partial payments for court fees and litigation taxes.**

**Sponsors** Sen. Bill Ketron / Rep. Mike Carter

**Description** Allows court clerk, subject to approval by a court of competent jurisdiction, to accept a lump-sum partial payment in full settlement for all court costs, fees, and litigation taxes owed and have been in default for over five years. Prohibits the court from approving a settlement unless the amount accepted is equal to or greater than 50 percent of the combined outstanding balance of all fines, costs, and litigation taxes due on the case.

**Senate Status** 04/09/2015 - Senate passed.

**House Status** 04/01/2015 - House passed.

**Executive Status** 04/09/2015 - Sent to the speakers for signatures.

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**SB22 Duties of the executive director of the district public defenders.**

**Sponsors** Sen. Mae Beavers

**Description** Removes certain existing duties of the executive director of the district public defenders conference.

**Senate Status** 02/12/2015 - Withdrawn in Senate.

**House Status** *None*

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**SB140 / HB496 Expunction records - removal and destruction.**

**Sponsors** Sen. Reginald Tate / Rep. Karen D. Camper

**Description** Revises deadline for removal and destruction of expunged records to 60 days from the date of the expunction order, rather than 60 days from the date of filing the petition for expunction.

**Amendment** Senate Judiciary Committee, House Criminal Justice Committee amendment 1 (003714) deletes and rewrites the bill in its entirety. Requires that expunged criminal records be removed and destroyed within 60 days from the date the expunction order is issued, rather than from the date the petition is filed. Requires court ordering the expunction to notify the Tennessee Bureau of Investigation within thirty days of the order.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended with amendment 1. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB370 / HB220 Transfer from small claims docket to regular claims docket.**

**Sponsors** Sen. Sara Kyle / Rep. Sherry Jones

**Description** Requires party seeking to remove claim from small claims docket to the regular docket to provide notice of request to the claim commission, which will then notify all other parties to the claim. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/11/2015 - Referred to House Civil Justice Subcommittee.

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**SB371 / HB296 Prohibited discrimination - sexual orientation and gender identity.**

**Sponsors** Sen. Sara Kyle / Rep. Sherry Jones

**Description** Adds sexual orientation and gender identity or expression to the list of characteristics protected from discrimination or harassment in employment, public accommodations, housing, financing, insurance, education, in places where alcoholic beverages are consumed, real estate, public utilities, tax exemptions, the profession of healing arts, health facilities, and welfare in the state. Creates criminal violation of civil rights intimidation based on sexual orientation and gender identity or expression.

**Senate Status** 02/11/2015 - Referred to Senate Judiciary Committee.

**SB408 / HB526 Certain state trial court judges commissioned as senior judges.**

**Sponsors** Sen. Doug Overbey / Rep. Ryan A. Haynes

**Description** Permits supreme court to commission a state trial court judge who was not reelected following the judge's most recent term of judicial service if the judge served at least a full eight-year term.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB441 / HB319 Revisions to judicial forfeitures.**

**Sponsors** Sen. Doug Overbey / Rep. Mark White

**Description** Clarifies that for certain types of forfeited property state must establish by a preponderance of evidence that property was used as an instrumentality in or used in furtherance of a violation of law and that rebuttable presumption that forfeiture is proper does not apply to that type of property. Specifies that petition to have forfeited property returned can be initiated in the court of record that has criminal jurisdiction in the judicial district. Broadly captioned.

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB442 / HB632 Objection to the admission of cellular phone data evidence.**

**Sponsors** Sen. Doug Overbey / Rep. Dawn White

**Description** Provides that only a person who had a reasonable expectation of privacy in a searched cellular phone may object to the admission of evidence of cellular phone data or evidence derived from the data.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House passed.

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**SB479 / HB738 Expands the number of legislative committees to receive reports.**

**Sponsors** Sen. Mike Bell / Rep. Dan Howell

**Description** Requires the administrative director of the courts to file a report following the appointment of additional senior justices or judges to additional legislative committees. Broadly captioned.

**Senate Status** 02/12/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/19/2015 - Referred to House Civil Justice Subcommittee.

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**SB483 / HB160 General assembly - direct attorney general to file civil action.**

**Sponsors** Sen. Mike Bell / Rep. Glen Casada

**Description** Authorizes the general assembly to direct the attorney general and reporter to initiate or withdraw from a civil action on behalf of the state. Allows the general assembly to employ legal counsel to advise it on matters related to such actions.

**Senate Status** 02/12/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/18/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB544 / HB544 Senior General Sessions and Juvenile Judge Enabling Act.**

**Sponsors** Sen. Ken Yager / Rep. Mike Carter

**Description** Enacts the "Senior General Sessions and Juvenile Judge Enabling Act," which enables the creation of a program whereby the supreme court can designate a senior general sessions or juvenile judge to relieve court congestion in a needed area. Specifies the requirements for a judge to be eligible to serve in such capacity. Provides that funding for the program shall come from an increase of \$1.00 on the \$5.00 fee assessed against each traffic citation resulting in conviction. Specifies that senior judges serving in such capacity shall be paid \$100 per hour, but are not entitled to participate in the state's insurance and benefits program.

**Amendment** Senate Judiciary Committee Amendment 1 (003739) deletes Section 5 of the bill establishing the funding for the Senior General Sessions and Juvenile Judge program. Adds a \$1.00 fee to all traffic citations resulting in a conviction, guilty plea, or plea of nolo contendere. The fee shall be remitted monthly to the Administrative Office of the Courts (AOC) to pay for implementation of the Senior General Sessions and Juvenile Judge Enabling Act of 2015. The AOC shall use 10 percent of the funds to partially offset the expenses in administering the act. SENATE JUDICIARY COMMITTEE AMENDMENT 2 (004221) requires judges seeking commission as senior judge to have six years of experience in this state and to have retired in good standing with the board of judicial conduct.

**Senate Status** 03/17/2015 - Senate Judiciary Committee recommended with amendment 1 (003738) and amendment 2 (004221). Sent to Senate Finance.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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#### **SB594 / HB672 Using interpreters to interview children during abuse investigations.**

**Sponsors** Sen. Ferrell Haile / Rep. Courtney Rogers

**Description** Requires an investigator or law enforcement officer investigating a possible domestic or child abuse case involving a hearing impaired child to use an interpreter outside the presence of child's parent or family member to interview the child. Authorizes interpretation to occur using electronic means.

**Amendment** Senate amendment 1 (003636) specifies that the interpreter be trained as a sign language interpreter rather than in American sign language. Adds potential abusers to the group of people outside of whom the child should be questioned. Senate amendment 2 (005544) deletes subdivision (3) of Section 1 and substitutes instead: Law enforcement agencies shall maintain a list of interpreters developed from a list provided by the Tennessee council for the deaf, deaf-blind, and hard of hearing.

**Senate Status** 04/08/2015 - Senate passed with amendments 1 (003636) and 2 (005544). Senate amendment 1 (003636) specifies that the interpreter be trained as a sign language interpreter rather than in American sign language. Adds potential abusers to the group of people outside of whom the child should be questioned. Senate amendment 2 (005544) deletes subdivision (3) of Section 1 and substitutes instead: Law enforcement agencies shall maintain a list of interpreters developed from a list provided by the Tennessee council for the deaf, deaf-blind, and hard of hearing.

**House Status** 04/08/2015 - House passed.

**Executive Status** 04/08/2015 - Sent to the speakers for signatures.

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#### **SB595 / HB673 Vapor defined as smoking.**

**Sponsors** Sen. Ferrell Haile / Rep. Courtney Rogers

**Description** Adds the vapor from electronic cigarettes to the definition of what is "smoking" for purposes of the "Children's Act for Clean Indoor Air."

**Senate Status** 02/12/2015 - Referred to Senate Commerce & Labor Committee.

**SB608 / HB626 Use of mechanical restraints on a child.**

**Sponsors** Sen. Frank Niceley / Rep. Mary Littleton

**Description** Authorizes judge in certain court hearings to order child to be handcuffed, restraint belts, jacket restraints, or footcuffs if necessary to prevent flight or physical harm to the child or another person. Requires judge to give child and child's attorney an opportunity to object to the restraints prior to use unless judge determines it is an emergency. Requires judge to make written findings of fact when restraints are used.

**Amendment** House Civil Justice Subcommittee amendment 1 (003875) deletes the amendatory language of Section 1 and substitutes language that, in order to remove the taint of criminality from a child charged with a delinquent act, a child shall not be restrained in court unless the court finds the restraints are necessary due to the behavior of the child representing a threat to the child's safety or the safety of others, or the child presents a substantial risk of flight from the courtroom; and there are no less restrictive alternatives to prevent flight or risk of harm to the child or others. Any party may request to be heard as to the necessity of restraints.

**Senate Status** 04/07/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 04/07/2015 - Taken off notice in House Civil Justice Committee.

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**SB611 / HB805 Licensed social workers exempt from subpoena to trial.**

**Sponsors** Sen. Steven Dickerson / Rep. Joe Pitts

**Description** Adds licensed social workers to the list of deponents exempt from subpoena to trial but subject to subpoena to a deposition.

**Senate Status** 02/12/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/04/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB657 / HB1222 Parent must report missing child to law enforcement.**

**Sponsors** Sen. Sara Kyle / Rep. Joe Towns Jr.

**Description** Requires a parent who has reasonable cause to believe a child under nine years of age is missing shall report the child missing within 12 hours of discovering the child may be missing. If a child is over the age of nine, a parent must report the child missing within 24 hours of discovering the child may be missing.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB666 / HB494 Child violating curfew may be taken to designated curfew center.**

**Sponsors** Sen. Sara Kyle / Rep. Karen D. Camper

**Description** Creates a new disposition option of taking a minor who violates curfew to a designated curfew center rather than juvenile court. Revises juvenile employment curfew provisions.

**Senate Status** 04/06/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB720 / HB808 Evidence - video recording of a forensic interview with a child.**

**Sponsors** Sen. Mark Green / Rep. Joe Pitts

**Description** Allows court to admit into evidence a video recording of a forensic interview with a child conducted by a nonprofit child advocacy organization accredited by a nationally recognized accrediting agency, or by a child advocacy organization that employs a director not meeting the necessary criteria, but is supervised by a publicly elected official.

**Senate Status** 04/08/2015 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.



**SB732 / HB785 Offender's lifetime community supervision - release hearing notice.**

**Sponsors** Sen. Frank Niceley / Rep. Bud Hulse

**Description** Requires court to give 45 days' notice, instead of 30 days, to the district attorney general prior to the hearing on the offender's petition to be released from lifetime community supervision.

**Amendment** House Criminal Justice Subcommittee amendment 1 (004167) allows misdemeanor domestic assault to be expunged for the purpose of regaining certain rights. Specifies that petition to expunge a conviction for domestic assault shall not be granted until at least 10 years have elapsed.

**Senate Status** 04/01/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/25/2015 - House Criminal Justice Committee deferred to 2016.

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**SB746 / HB1069 Shelby County no longer allowed to appoint attorney as special judge.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Bill Beck

**Description** Removes provisions allowing Shelby County general sessions and juvenile judges to select an attorney as a special judge without trying to identify another sitting, former, or retired judge to appoint as a special judge first. Broadly captioned.

**Senate Status** 04/01/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Civil Justice Subcommittee.

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**SB764 / HB666 Three year statute of limitations for personal injury actions.**

**Sponsors** Sen. Todd Gardenhire / Rep. Andrew Farmer

**Description** Extends statute of limitations for personal injury causes of action to three years, instead of one year, after the cause of action accrued.

**Senate Status** 02/18/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/19/2015 - Referred to House Civil Justice Subcommittee.

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**SB819 / HB1285 Limits defendants named in a healthcare liability action.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Clarifies that a health care liability action against a licensee may be brought only against the licensee, the licensee's management company, the licensee's managing employees, or an individual caregiver who provided direct health care services, whether an employee or independent contractor. Excludes a passive investor. Prohibits a cause of action unless, after a hearing on a motion for leave to amend, the court or arbitrator determines there is sufficient evidence in the record or proffered by the claimant to establish a reasonable showing that: 1) A duty of care existed and there was a breach of that duty; and 2) The breach of that duty is a legal cause of loss, injury, death, or damage to the claimant. Specifies that when determining the statute of limitations in a health care liability action, the date of the original pleading shall control regardless of whether there are amended pleadings or substituted or added parties.

**Amendment** Senate Judiciary Committee, House Civil Justice Committee amendment 1 (005652) adds a section to the bill requiring any person that receives notice of a potential claim for health care liability pursuant to provide written notice to the potential claimant of any other person, entity, or health care provider who may be a properly named defendant within 30 days of receiving the notice.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1 (005652). Sent to Senate Calendar Committee.

**SB854 / HB890 Investigations of officer-involved deaths.**

**Sponsors** Sen. Frank Niceley / Rep. Jeremy Faison

**Description** Requires law enforcement agency to have a written policy regarding the investigation of officer-involved deaths that involve a law enforcement officer employed by the law enforcement agency. Requires the investigation to be conducted by at least two disinterested investigators. Requires investigators conducting the investigation to provide a complete report to the district attorney of the county in which the officer-involved death occur. Requires the report to be made public if the district attorney determines there is no basis to prosecute the law enforcement officer involved in the officer-involved death.

**Senate Status** 04/01/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/24/2015 - House Criminal Justice Subcommittee deferred to 2016.

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**SB860 / HB1298 Allows for jury to infer intent in drug cases.**

**Sponsors** Sen. Richard Briggs / Rep. Mike Sparks

**Description** Allows jury to infer whether the offender's purpose was to sell, dispense, or casually exchange a controlled or synthetic controlled substance based on the amount of the substance the offender possessed and other relevant facts. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Criminal Justice Subcommittee.

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**SB861 / HB887 Granting certain petitions in healthcare liability actions.**

**Sponsors** Sen. Sara Kyle / Rep. Craig Fitzhugh

**Description** Authorizes, rather than requires, a court to grant a petition for a qualified protective order in healthcare liability actions.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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**SB886 / HB1304 Petitioning for relief from firearms disability.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Mary Littleton

**Description** Establishes procedures by which a person who was previously judicially committed or adjudicated as a mental defective can petition the court that entered the judicial commitment or adjudication order for relief from the resulting firearms disabilities. Requires district attorney general of district where commitment or adjudication occurred to be notified of the petition to restore firearms rights. Requires court to notify TBI when a person's petition is granted. Specifies records to be updated or destroyed by TBI upon granting a person the requested relief.

**Amendment** Senate amendment 1, House Civil Justice Committee amendment 1 (003675) adds that a person may not petition the court until three years from the date of release from commitment or the date of the adjudication order, whichever is later.

**Senate Status** 03/16/2015 - Senate passed with amendment 1.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB933 / HB1342 Admission of victim's photo in murder trials.**

**Sponsors** Sen. Janice Bowling / Rep. Terri Lynn Weaver

**Description** Specifies that in murder trials the victim and the victim's family have a right to have a photograph that reasonably depicts the victim admitted at trial during the state's case-in-chief. Broadly captioned.

**Amendment** Senate Judiciary Committee amendment 1, House Criminal Justice Committee amendment

1 (004248) rewrites the bill to limit application of the bill to criminal homicide cases, rather than any case involving the death of a victim.

**Senate Status** 04/07/2015 - Senate Judiciary Committee recommended with amendment 1 (004248). Sent to Senate Calendar Committee.

**House Status** 04/07/2015 - House Civil Justice Committee recommended. Sent to House Calendar & Rules.

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**SB991 / HB486 Cause of action - physical invasion of privacy.**

**Sponsors** Sen. Mark S. Norris / Rep. Ryan Williams

**Description** Establishes civil cause of action against any person for physical invasion of privacy or for attempting to capture a visual image, sound recording, or any other physical impression of a person engaging in personal or familial activities so long as that individual has a reasonable expectation of privacy, regardless of whether a physical trespass occurred. Imposes civil liability, under limited circumstances, for the publication or other use of images or recordings captured through such violation. Establishes exceptions for law enforcement activities.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/11/2015 - House Civil Justice Subcommittee deferred to summer study.

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**SB1009 / HB1025 Sets reimbursement rate for indigent counsel to \$100 per hour.**

**Sponsors** Sen. Lee Harris / Rep. Mike Stewart

**Description** Requires that the rules adopted by the supreme court that establish compensation rates for appointed counsel of indigent defendants set a minimum hourly rate of \$100.

**Senate Status** 03/24/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/25/2015 - House Civil Justice Subcommittee deferred to 2016.

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**SB1040 / HB1141 No-Go zones in state government - reporting to department of justice.**

**Sponsors** Sen. Bill Ketron / Rep. Susan Lynn

**Description** Requires the attorney general to report to the department of justice that a no-go zone exists within political subdivisions of the state. Requires the attorney general to take all necessary steps to eliminate the no-go zone to enforce compliance with state and federal law.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Civil Justice Subcommittee.

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**SB1077 / HB563 Obsolete reference to division of juvenile probation.**

**Sponsors** Sen. Lee Harris / Rep. Sherry Jones

**Description** Deletes obsolete reference to division of juvenile probation from statute relating to the department of children's services.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/12/2015 - Referred to House Civil Justice Subcommittee.

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**SB1100 / HB1087 Court reporters' conflicts with parties in a deposition checked.**

**Sponsors** Sen. Doug Overbey / Rep. Curtis Halford

**Description** Requires person taking a deposition to disclose all conflicts by submitting a specific written stipulation to all parties of record. Specifies when objection to reporter must take place. Prohibits reporter from giving an advantage to one party, payment being contingent on the outcome of the action, providing other advocacy or litigation support to a party, or cost of deposition differing between parties except in certain circumstances. Specifies the format of the deposition transcript. Specifies penalty for violation of rules. Prohibits parties from waiving certain rules. Removes engaging in a sexual relationship with one of the parties, or

an attorney for one of the parties, in the past two years as a conflict.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Civil Justice Subcommittee.

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**SB1101 / HB1120 Creates additional assistant public defender positions.**

**Sponsors** Sen. Doug Overbey / Rep. Raumesh Akbari

**Description** Creates six additional assistant public defender positions to be added to judicial districts where additional judgeships with criminal jurisdiction were added since 2007. Requires reinstatement of the statutory salary increase for assistant public defenders.

**Amendment** House Criminal Justice Committee amendment 1 (003937) deletes the provision creating six new APD positions.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB1119 / HB630 Davidson County - litigation tax on general sessions court cases.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Bill Beck

**Description** Removes restriction that prohibits Davidson County from imposing a litigation tax on cases in general sessions court. Requires proceeds to support the general sessions court.

**Senate Status** 03/19/2015 - Senate passed.

**House Status** 04/06/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to the speakers for signatures.

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**SB1121 / HB554 Parental rights with respect to child conceived during rape.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Craig Fitzhugh

**Description** Prohibits person convicted of rape, aggravated rape, or rape of a child from having custody, visitation, or inheritance rights with respect to child conceived during such crime. Authorizes other parent of child to waive prohibition of rights. Directs court to establish child support obligation against convicted father unless waived by the department of human services and the other parent, if other parent is contributing to support of child.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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**SB1138 / HB22 Disclosure of expunged offenses by applicant prohibited.**

**Sponsors** Sen. Reginald Tate / Rep. Brenda Gilmore

**Description** Prohibits institutions of higher education and employers from asking applicants about expunged offenses. Creates a civil offense against the employer for each separate offense.

**Senate Status** 03/30/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 01/17/2015 - Referred to House Consumer & Human Resources Subcommittee.

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**SB1190 / HB989 Revives the informed consent and waiting period statute for abortion.**

**Sponsors** Sen. Mae Beavers / Rep. Debra Moody

**Description** Revives and reenacts the informed consent and waiting period statute for abortion that was in effect prior to the decision in Planned Parenthood of Middle Tennessee, et. al. v. Sundquist. 38 S.W. 3d 1 (Tenn. 2000).

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Health Subcommittee.

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**SB1202 / HB222 Privileged communication - emergency personnel and certain counselors.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Sherry Jones

**Description** Establishes communications, made between certain emergency personnel and designated peer support group counselors, as privileged. Specifies that peer support counselors should not be compelled to testify in a proceeding without the consent of the personnel who received counseling. Specifies that privilege does not apply if a peer support counselor was an initial responding emergency personnel.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/11/2015 - Referred to House Civil Justice Subcommittee.

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**SB1228 / HB740 Fee for juvenile adjudicated delinquent for an act involving drugs.**

**Sponsors** Sen. Mike Bell / Rep. Dan Howell

**Description** Requires juvenile court clerks to assess a \$75.00 fee for any juvenile adjudicated delinquent for an act involving drugs or alcohol. Requires fees to be deposited into a dedicated county fund and used by the county exclusively for juvenile drug court treatment programs. Increases the fee charged by court clerks for non-juvenile drug offenses from \$75.00 to \$100. Designates the \$25.00 increase to fund juvenile drug court treatment programs.

**Amendment** House Civil Justice Committee amendment 1 (005065) permits courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may develop and operate drug court treatment programs. Prohibits funding or support by revenues collected under the Drug Court Treatment Act of 2003. Adds a fee of \$75 when a juvenile is determined to be delinquent by virtue of a delinquent act involving drugs or alcohol.

**Senate Status** 04/01/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/31/2015 - House Civil Justice Committee deferred to 2016 after adopting amendment 1 (005065), which specifies that courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may develop and operate drug court treatment programs. Sets forth general principles for operation of such programs.

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**SB1242 / HB1259 Procedure for person to take bar regardless of law school attendance.**

**Sponsors** Sen. Mike Bell / Rep. John Mark Windle

**Description** Directs the state supreme court to establish rules allowing a person to apply for and take the Tennessee bar examination without graduating from law school. Specifies that, regardless of whether a person graduated from law school, successful bar passage makes person eligible to practice law. Prohibits court from establishing a rule limiting the number of times a person may take the Tennessee bar examination.

**Senate Status** 02/26/2015 - Withdrawn in Senate.

**House Status** 02/24/2015 - Referred to House Civil Justice Subcommittee.

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**SB1277 / HB400 Electronic testimony in criminal trials.**

**Sponsors** Sen. Ken Yager / Rep. Curtis Halford

**Description** Authorizes use of previously recorded testimony and live video transmission testimony during trial in certain circumstances. Specifies requirements and procedures for using these types of testimony. Broadly captioned.

**Amendment** House Civil Justice Committee amendment 1 (005934) deletes all language after the enacting clause. Authorizes a judge to permit the use of live-transmitted testimony in lieu of a personal appearance when the judge determines that a witness is unavailable under the rules of evidence, or the witness is deployed pursuant to orders of the Governor or the President of the United States. The judge must make specific findings that (1) the witness is unavailable under the rules of evidence or the witness has been deployed; (2) the witness under oath and is competent to testify; (3) the testimony can be transmitted at a hearing or trial so that the judge and jury can sufficiently observe the witness during the testimony; (4) the testimony can be transmitted so that the witness and the accused can view each other

during the testimony; (5) the video transmission allows for a full and fair opportunity for cross-examination; and (6) any other relevant factor ensures the interests of Article I, § 9 of the Tennessee Constitution are satisfied.

**Senate Status** 04/07/2015 - Failed in Senate Judiciary Committee.

**House Status** 04/07/2015 - House Civil Justice Committee recommended with amendment 1 (005934). Sent to House Criminal Justice Committee.

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**SB1302 / HB1123 County clerks - maintain an updated copy of the revenue docket.**

**Sponsors** Sen. Frank Niceley / Rep. Bryan Terry

**Description** Requires each county clerk to maintain an updated copy of the revenue docket in a separate location within the clerk's office. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 02/24/2015 - Referred to House Local Government Subcommittee.

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**SB1323 / HB790 Allows a party's attorney to request a prehearing conference.**

**Sponsors** Sen. Randy McNally / Rep. Eddie Smith

**Description** Authorizes a party's attorney to request a prehearing conference in any contested case that is set for a hearing.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/19/2015 - Referred to House Civil Justice Subcommittee.

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**SB1324 / HB241 Funding for attorneys representing indigent criminal defendants.**

**Sponsors** Sen. Randy McNally / Rep. Curry Todd

**Description** Deletes provision requiring local governments to match increase in funding to district attorney general with increase in funding for public defenders office for the purpose of indigent criminal defense equal to at least 75 percent of that for the district attorney general. Broadly captioned.

**Senate Status** 03/17/2015 - Senate Judiciary Committee deferred to 04/07/15.

**House Status** 03/18/2015 - House Civil Justice Subcommittee deferred to summer study.

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**SB1350 / HB1354 Permits counties to impose certain litigation taxes.**

**Sponsors** Sen. Randy McNally / Rep. Kent Calfee

**Description** Authorizes county legislative bodies to levy privilege tax on litigation in all civil and criminal cases in the general sessions, juvenile, and municipal courts in the county. Requires revenue from privilege tax to be used exclusively to support substance abuse prevention coalitions operating in the county, or to establish a substance abuse prevention coalition in the county. Sets forth criteria for substance abuse prevention coalitions that can receive funds.

**Amendment** Senate Judiciary Committee Amendment 1 (005196) deletes the amendatory language of Section 1, "all civil and criminal cases" and substitutes instead the language "civil or criminal cases". SENATE JUDICIARY COMMITTEE AMENDMENT 2, HOUSE CIVIL JUSTICE SUBCOMMITTEE AMENDMENT 1 (004623) sets the maximum privilege tax that can be levied at \$25.

**Senate Status** 03/30/2015 - Referred to Senate Calendar Committee.

**House Status** 03/25/2015 - Failed in House Civil Justice Subcommittee.

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**SB1353 / HB472 Creates 31 additional assistant district attorney general positions.**

**Sponsors** Sen. Randy McNally / Rep. Ryan A. Haynes

**Description** Creates 31 additional assistant district attorney general positions. Provides that the district attorney general conference must prepare a report with recommendations as to which

judicial districts the additional positions should be designated by October 1, 2015. Specifies that upon filing the report with the speakers of the house of representatives and senate, the district attorney generals recommended to receive the additional positions are authorized to fill the positions.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB1368 / HB1240 District attorneys general conference report on synthetic drugs.**

**Sponsors** Sen. Sara Kyle / Rep. Barbara W. Cooper

**Description** Requires the district attorneys general conference to report to the senate judiciary committee and the house criminal justice committee concerning the issue of synthetic drugs on or before January 31, 2016.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/03/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SB1396 / HB1330 Indigency hearings required prior to suspending certain costs.**

**Sponsors** Sen. Kerry Roberts / Rep. Roger Kane

**Description** Requires judge to conduct a determination of indigency hearing before suspending a defendant's court costs and litigation tax, if a hearing to establish indigency had not already been conducted.

**Senate Status** 03/24/2015 - Senate Judiciary Committee deferred to 03/31/15.

**House Status** 03/24/2015 - Taken off notice in House Criminal Justice Subcommittee.

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**SJR17 Constitutional amendment - popular election of attorney general and reporter.**

**Sponsors** Sen. Mae Beavers

**Description** Proposes an amendment to Article VI, Section 5 of the state constitution to provide for popular election of the attorney general and reporter for a regular term of four years.

**Senate Status** 01/17/2015 - Referred to Senate Judiciary Committee.

**House Status** *None*

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**SJR63 Popular election of attorney general.**

**Sponsors** Sen. Mae Beavers

**Description** Proposes amendment of Article VI, Section 5, to provide for popular election of the attorney general and reporter for a regular term of six years.

**Senate Status** 04/09/2015 - Senate heard on first reading.

**House Status** *None*

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**SJR75 Constitutional amendment - appointment of AG and reporter.**

**Sponsors** Sen. Ken Yager

**Description** Proposes an amendment of Article VI, Section 5 to provide for appointment of an attorney general and reporter for the state by joint vote of the general assembly.

**Senate Status** 03/24/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** *None*

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**HJR10 Constitutional amendment - popular election of attorney general and reporter.**

**Sponsors** Rep. Craig Fitzhugh

**Description** Proposes an amendment to Article VI, Section 5 of the state constitution to provide for popular election of the attorney general and reporter for a regular term of eight years.

**Senate Status** *None*

**House Status** 03/04/2015 - House Civil Justice Subcommittee deferred to last calendar.

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**HJR54 Urges supreme court to provide free online access to oral arguments.**

**Sponsors** Rep. Jim Coley

**Description** Urges the supreme court to adopt rules providing free online public access to video of supreme court oral arguments.

**Senate Status** *None*

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**Labor Law - 12**

**SB123 / HB603 Collective bargaining agreements - local governments and labor unions.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jeremy Durham

**Description** Reaffirms that a local government shall not enter into any collective bargaining agreement with a labor union or employee association.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - House Consumer & Human Resources Subcommittee deferred to 2016.

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**SB659 / HB579 Tennessee Minimum Wage Act.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Enacts the "Tennessee Minimum Wage Act," which establishes a minimum wage that increases annually on July 1, up until 2017, providing: (1) \$8.15 per hour in 2015; (2) \$9.60 per hour in 2016; and (3) \$10.10 per hour or .5% percent higher than the federal minimum wage, whichever is greater, in 2017. Provides a minimum wage of \$4.74 per hour for employees in the service industry who receive tips and \$6.15 per hour for employees that are compensated by way of gratuities. Authorizes the department to promulgate rules and regulations in compliance with federal law.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Failed in House Consumer & Human Resources Subcommittee.

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**SB662 / HB552 Leave time for parental involvement in schools.**

**Sponsors** Sen. Sara Kyle / Rep. Craig Fitzhugh

**Description** Requires employers to provide employees with school-aged children four hours a year in which to attend or be involved in school related activities. Specifies the eligibility criteria and the conditions employers can place on employees seeking to take leave. Prohibits employer from taking any adverse action against employee for requesting or taking this leave. Creates civil action against employer for taking adverse action against an employee for taking leave.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/11/2015 - Failed in House Consumer & Human Resources Subcommittee.

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**SB663 / HB557 Study on development of paid family and medical leave program.**

**Sponsors** Sen. Sara Kyle / Rep. Craig Fitzhugh

**Description** Authorizes the department of labor, subject to the availability of federal funding, to study the feasibility of the development or implementation of a paid family and medical leave program. Requires commissioner to apply for the grant through the federal department of labor's women's bureau. Requires the department to report the results to the governor and certain members and committees of the general assembly.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Taken off notice in House Consumer & Human Resources Subcommittee.

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### **SB864 / HB903 Tennessee Pay Equality Act.**

**Sponsors** Sen. Sara Kyle / Rep. John Ray Clemmons

**Description** Enacts the "Tennessee Pay Equality Act." Prohibits an employer from discriminating on the basis of sex by paying any employee a wage rate less than the wage rates the employer pays to any employee of the opposite sex. Establishes the employer as liable to the employee or employees affected in at least the amount of their unpaid wages. Establishes a Class A misdemeanor for certain violations. Allows economic council on women to conduct certain research.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Failed in House Consumer & Human Resources Subcommittee.

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### **SB872 / HB1013 Substitute teachers' eligibility for unemployment.**

**Sponsors** Sen. Steven Dickerson / Rep. Bill Beck

**Description** Prohibits substitute teachers from being eligible for unemployment benefits from the school district that the teacher works for unless there has been a separation between the teacher and the school district.

**Senate Status** 03/24/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Taken off notice in House Consumer & Human Resources Subcommittee.

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### **SB1061 / HB589 Drug-free workplace program changes.**

**Sponsors** Sen. Lee Harris / Rep. Antonio Parkinson

**Description** Redefines drug in the drug-free workplace program to include prescription medicine that is not lawfully prescribed to the employee. Authorizes employers, in determining what actions to take with a positive drug test, to consider whether the employee was under the influence of the drug or alcohol while the employee performed duties within the employee's scope of employment and not solely on a positive confirmed drug or alcohol test.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Taken off notice in House Consumer & Human Resources Subcommittee.

**Executive Status** 03/23/2015 - Workers' Compensation Advisory Council released to standing committees with unfavorable comment.

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### **SB1063 / HB1257 State's minimum hourly wage rate.**

**Sponsors** Sen. Lee Harris / Rep. Johnnie Turner

**Description** Requires the commissioner of labor and workforce development to set the state's minimum hourly wage rate at not less than \$10.10 per hour and requires the commissioner to adjust the rate annually to reflect inflation in accordance with the consumer price index. Establishes a cause of action for employees if employers violate the state's minimum hourly wage rate. Sets the wage rate paid to blind persons employed by the state to the greater of the state minimum hourly wage rate or the federal minimum wage as provided by the Fair Labor Standards Act.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Failed in House Consumer & Human Resources Subcommittee.

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### **SB1067 / HB555 Making Work Pay Act.**

**Sponsors** Sen. Lee Harris / Rep. Craig Fitzhugh

**Description** Enacts the "Making Work Pay Act." Requires every employer to pay each employee who works longer than 40 hours in any work week at a rate of no less than one and one-half of the regular rate of pay for those hours that exceed 40. Requires seasonal employment to be paid the one and one-half overtime rate after 45 hours. Requires employers to post a

summary that can easily be seen of this part in the workplace. Establishes a liability to the violators of the minimum wage requirement for the amount of unpaid wages, including additional wages for damage.

**Senate Status** 03/24/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - Taken off notice in House Consumer & Human Resources Subcommittee.

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**SB1157 / HB588 Model policy for employers to prevent abusive conduct in workplace.**

**Sponsors** Sen. Mark S. Norris / Rep. Antonio Parkinson

**Description** Extends the date by which TACIR must create a model policy for employers to prevent abusive conduct in the workplace from March 1, 2015, to September 1, 2015.

**Amendment** House Government Operations Committee amendment (005888), which stipulates that any rules created by TACIR as it pertains to this certain policy, will come thought the Government Operations Committee to approve.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 04/07/2015 - House Government Operations Committee recommended with amendment (005888), which stipulates that any rules created by TACIR as it pertains to this certain policy, will come thought the Government Operations Committee to approve. Sent to House Calendar & Rules.

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**SB1159 / HB974 Tennessee Pregnant Workers Fairness Act.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Matthew Hill

**Description** Enacts the "Tennessee Pregnant Workers Fairness Act." Specifies that an employer failing to make reasonable accommodations for an applicant for employment or employee related to pregnancy, childbirth or related condition is a discriminatory practice based on sex unless such employer can demonstrate that the accommodation would impose an undue hardship on the employer. Gives the employer the burden of proving undue hardship. Specifies that an employer who takes adverse action against an employee who requests or uses an accommodation related to pregnancy or childbirth is a discriminatory practice based on sex. Specifies that an employer who denies employment opportunities to an applicant based on the need of the employer to make reasonable accommodations to the known conditions related to pregnancy or childbirth is also a discriminatory practice. Requires the Tennessee Human Rights Commission to develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and applicants for employment about the rights and responsibilities related to this section.

**Senate Status** 03/17/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 03/25/2015 - House Consumer & Human Resources Subcommittee deferred to 2016.

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**SB1260 / HB1181 Response to denial of request for exemption from child labor laws.**

**Sponsors** Sen. Jeff Yarbrow / Rep. John Ray Clemmons

**Description** Increases from five to seven the number of days that the commissioner of labor and workforce development has to respond to a request for the reasons that the commissioner denied a request for an exemption from child labor laws that was submitted by a minor and the minor's parents or guardian.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/24/2015 - Referred to House Consumer & Human Resources Subcommittee.

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**Local Government - 4**

### **SB153 / HB249 Enforcing qualified domestic relations orders.**

**Sponsors** Sen. Doug Overbey / Rep. Andrew Farmer

**Description** Requires a local government to establish and maintain, for its employees, a qualified plan that honors claims under a qualified domestic relations order, provided that the order relate to marital property rights benefitting the former spouse of the qualified plan's participant. Provides exemption for state pension monies and certain retirement plan funds. Defines "local government," "qualified domestic order" and "qualified plan" relative to enforceability of the plan.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

**Executive Status** 02/23/2015 - Joint Council on Pensions and Insurance released to standing committees with favorable comment.

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### **SB1011 / HB958 Rights for person offering aid to those in economic distress.**

**Sponsors** Sen. Steven Dickerson / Rep. David B. Hawk

**Description** Establishes certain rights related to offering compassionate aid to persons in economic distress. Establishes the following rights: provide religious services for those in public spaces; give food and water; give shelter; employment right including legal street sales; give and solicit donations; set down personal property; equal treatment, emergency medical care free from discrimination; give and receive bond without discrimination; receive a breathalyzer or other test if arrested for public intoxication; confidentiality of personal records with respect to housing status; reasonable expectation of privacy; not face discrimination due to a person's lack of mailing address or that mailing address being that of a shelter or social service provider; state enforcement of educational protections under federal law for minors; be able to vote and register to vote; rest, or use for the purposes of shelter any motor vehicle; access public restrooms; engage in life-sustaining activity; use email, and legal counsel.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/25/2015 - Taken off notice in House Civil Justice Subcommittee.

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### **SB1031 / HB159 Distribution of federal funds to local government units.**

**Sponsors** Sen. Bill Ketron / Rep. Glen Casada

**Description** Prohibits the state, in certain circumstances, from disbursing federal funds it receives on behalf of a few local government units if the state did not apply for those funds on behalf of all local government units that are required by the application for such funds; provided that the court has ruled against the department for the distribution of such funds. Broadly Captioned.

**Amendment** House Local Government Subcommittee amendment 1 (004281) provides that if a court of this state or the United States issues a final order finding that the state department of education is not authorized to submit the application on behalf of any LEA unless the application includes all LEAs that meet the application's requirements for receipt of the federal pre- K expansion funds, then after the final order is issued, the department is required to terminate funding to those pre-K programs for which the application was granted, and the department is prohibited from resubmitting any applications to receive those funds. Defines "federal pre-K expansion funds." Applies only to an application for federal pre-K funds after December 31, 2013 that is (1) submitted by the state department of education on behalf of one or more, but less than all, LEAs that meet the application's requirements for receipt of the funds; (2) granted by the federal departments of education and health and human services; and (3) the subject of a lawsuit.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 03/31/2015 - Referred to House Local Government Subcommittee.

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**SB1192 / HB1136 Notice to homeowners for planned group homes in neighborhood.**

**Sponsors** Sen. Mae Beavers / Rep. Susan Lynn

**Description** Requires notice to affected homeowners when certain state-owned group homes are planned. Requires notice to homeowners living 500 yards within the proposed site.

**Senate Status** 03/18/2015 - Taken off notice in Senate Health & Welfare Committee.

**House Status** 02/24/2015 - Referred to House Health Subcommittee.

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**Lottery - 3**

**SB325 / HB172 Annual gaming events for 501(c)(19) organizations.**

**Sponsors** Sen. Mark S. Norris / Rep. Curtis G. Johnson

**Description** Establishes a framework to allow qualified 501(c)(19) organizations to operate an annual gaming event. Requires a 501(c)(19) organization seeking to operate an annual gaming event to submit an event application to the secretary of state, and sets the application submission deadline of April 1, 2015, for annual event period beginning on July 1, 2015, and ending on June 30, 2016. Provides that 501(c)(19) organizations must follow the same procedure for submitting a form to operate an annual event, the same requirements for filing a financial accounting and recordkeeping, and the same restrictions on the purchase of prizes and awards as 501(C)(3) organizations. Includes 501(c)(19) organizations seeking to operate an annual gaming event in other provisions governing the operation of gaming events by 501(C)(3) organizations.

**Amendment** House amendment 1 (004510) makes changes to section 6 of the bill adding that an application shall not be considered submitted to the secretary until in the physical possession of the secretary as evidenced by the secretary's date and time endorsement.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/08/2015 - House passed with amendment 1 (004510), which makes changes to section 6 of the bill adding that an application shall not be considered submitted to the secretary until in the physical possession of the secretary as evidenced by the secretary's date and time endorsement.

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**SB1004 / HB1099 501(c)(3) organization - annual event application deadline.**

**Sponsors** Sen. Rusty Crowe / Rep. Timothy Hill

**Description** Extends deadline for applications submitted by a 501(c)(3) organization for 2015-2016 annual events for three days after effective the date of the act.

**Amendment** House amendment 1 (003892) makes technical corrections. Corrects an unclear citation in the directory language of Section 4.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 04/08/2015 - House passed with amendment 1 (003892), which makes technical corrections. Corrects an unclear citation in the directory language of Section 4.

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**SB1275 / HB1135 Deletes obsolete reference to nonexistent scholarship.**

**Sponsors** Sen. Ken Yager / Rep. Dennis Powers

**Description** Deletes obsolete reference to the "General assembly merit scholarship" within the state lottery scholarship program.

**Amendment** HOUSE EDUCATION ADMINISTRATION AND PLANNING COMMITTEE AMENDMENT 1, SENATE EDUCATION COMMITTEE AMENDMENT 1 (005718)

deletes all language after the enacting clause. Authorizes a student to request that the grade received in a dual enrollment course for which the student received college credit be used in calculating the student's lottery grade point average for the 2016-17 academic year or subsequent years for the purposes of qualifying for a HOPE scholarship. Establishes that dual enrollment courses that are used in calculating the lottery grade point average shall not be used in determining when a terminating event occurs. Requires a student to request the use of the dual enrollment course grades prior to enrollment as an entering freshman in an eligible postsecondary institution, in order for such grades to be used in calculating the lottery grade point average. Prohibits any retroactive award to be made by recalculating a student's grade point average for academic years prior to the 2016-2017 academic year.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 04/07/2015 - House Education Administration and Planning Committee recommended with amendment 1 (005718), which deletes all language after the enacting clause. Authorizes a student to request that the grade received in a dual enrollment course for which the student received college credit be used in calculating the student's lottery grade point average for the 2016-17 academic year or subsequent years for the purposes of qualifying for a HOPE scholarship. Establishes that dual enrollment courses that are used in calculating the lottery grade point average shall not be used in determining when a terminating event occurs. Requires a student to request the use of the dual enrollment course grades prior to enrollment as an entering freshman in an eligible postsecondary institution, in order for such grades to be used in calculating the lottery grade point average. Prohibits any retroactive award to be made by recalculating a student's grade point average for academic years prior to the 2016-2017 academic year. Sent to House Finance.

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## Media & Publishing - 1

### **SB1254 / HB1020 Disposal of education data used for research purposes, posting on web.**

**Sponsors** Sen. Jeff Yarbro / Rep. Mike Stewart

**Description** Requires the commissioner of education's guidelines regarding the timely and responsible release of education data for research purposes be posted on the department's web site.

**Senate Status** 02/19/2015 - Referred to Senate Education Committee.

**House Status** 02/25/2015 - Referred to House Education Administration and Planning Subcommittee.

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## Professions & Licensure - 7

### **SB100 / HB89 Background check on substitute employee at licensed child care agency.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Specifies that staffing agencies placing substitute employees at child care agencies are responsible for obtaining and submitting the fingerprint sample, the disclosure form, and any information necessary to process the fingerprint-based background reviews to the TBI. Part of Administration Package.

**Senate Status** 03/02/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0022 effective March 27, 2015.

**Public Chapter** PC22

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### **SB167 / HB601 Exempts audiologists and speech pathologists from privilege tax.**

**Sponsors** Sen. Janice Bowling / Rep. Jeremy Durham

**Description** Exempts audiologists and speech pathologists from the professional privilege tax beginning January 1, 2016.

**Senate Status** 03/31/2015 - Senate Finance Revenue Subcommittee returned to Senate Finance with a neutral recommendation.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB967 / HB1250 Drug and alcohol abuse counselors - advertising requirements.**

**Sponsors** Sen. Ferrell Haile / Rep. Darren Jernigan

**Description** Clarifies that persons licensed as alcohol and drug abuse counselors may hold themselves out to the public as being licensed counselors by using a title on signs, letterheads, telephone listings, and other forms of professional identification.

**Senate Status** 03/02/2015 - Withdrawn in Senate.

**House Status** 03/12/2015 - Withdrawn in House.

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**SB1015 / HB299 Training for new members of health related boards.**

**Sponsors** Sen. Steven Dickerson / Rep. Sabi Kumar

**Description** Requires the commissioner of health to provide for the appropriate training of newly appointed members of health related boards prior to beginning of the members' service on such boards. Broadly captioned.

**Senate Status** 03/25/2015 - Taken off notice in Senate Health & Welfare Committee.

**House Status** 03/31/2015 - Taken off notice in House Health Subcommittee.

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**SB1020 / HB1142 Regulating professions - 30 days advance notice of meetings.**

**Sponsors** Sen. Ferrell Haile / Rep. Susan Lynn

**Description** Requires governmental entities that regulate professions and trades to give electronic notice of any meeting 30 days in advance instead of 45 days in advance when rule or fee changes are on the agenda.

**Senate Status** 03/31/2015 - Senate Commerce & Labor Committee deferred to 2016 after adopting amendment 1 (005537).

**House Status** 04/02/2015 - Withdrawn in House.

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**SB1115 / HB1287 Volunteer drivers exempted from medical card and exam requirements.**

**Sponsors** Sen. Jack Johnson / Rep. Jerry Sexton

**Description** Exempts volunteer drivers from obtaining a medical examination and a medical examiner's certificate or similar documentation if the volunteer driver meets certain requirements.

**Senate Status** 02/19/2015 - Referred to Senate Transportation & Safety Committee.

**House Status** 02/24/2015 - Referred to House Transportation Subcommittee.

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**SB1320 / HB51 Child wellness centers exempt from child care agency licensure.**

**Sponsors** Sen. Randy McNally / Rep. John Ragan

**Description** Exempts child wellness centers from the child care agency licensure requirements of the department of human services. Defines "child wellness centers" for the purpose of exemption from licensure requirements.

**Amendment** House amendment 1 (003809) revises existing definition of "drop-in center" to exempt centers that are operated by for-profit organizations that provide child care for no more than two hours per day, with a maximum of ten hours per week, without compensation while the parent or other custodian is engaged in short-term activities on the premises of the organization.

**Senate Status** 04/08/2015 - Senate Health & Welfare Committee recommended with amendment 1 (003809), which revises existing definition of "drop-in center" to exempt centers that are

operated by for-profit organizations that provide child care for no more than two hours per day, with a maximum of ten hours per week, without compensation while the parent or other custodian is engaged in short-term activities on the premises of the organization. Sent to Senate Calendar Committee.

**House Status** 03/30/2015 - House passed with amendment 1.

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## Property & Housing - 2

### **SB67 / HB29 Eviction notice for certain actions.**

**Sponsors** Sen. John Stevens / Rep. Bill Sanderson

**Description** Allows a landlord to provide three days' notice, as sufficient notice of termination of tenancy, for eviction of certain residential tenants if the tenants engage in certain violent activities.

**Amendment** House Amendment 1, Senate Commerce & Labor Committee Amendment 1 (004031) specifies that the three days' notice of eviction is not sufficient notice to evict residential tenants who are mentally or physically disabled from a housing authority.

**Senate Status** 04/02/2015 - Senate passed.

**House Status** 03/30/2015 - House passed with amendment 1.

**Executive Status** 04/08/2015 - Sent to governor.

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### **SB459 / HB185 Prohibits the infringement or restriction of private property rights.**

**Sponsors** Sen. Mike Bell / Rep. Sheila Butt

**Description** Prohibits the state or any political subdivision from adopting or implementing any policy that infringes upon or restricts private property rights without due process of law. Repeals any law in conflict with the act and prohibits contracts that are in conflict with the act from being entered into or renewed on or after the effective date of the act.

**Senate Status** 04/08/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to 2016.

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## Public Employees - 23

### **SB164 / HB499 District public defenders conference - executive director's duties.**

**Sponsors** Sen. Mae Beavers / Rep. Karen D. Camper

**Description** Eliminates the requirement that the executive director of the district public defenders conference initiate conference calls between district public defenders.

**Amendment** House Civil Justice Committee amendment 1 (004466) creates 31 additional assistant public defenders positions. The district public defenders conference shall recommend the specific judicial districts to which new positions are designated.

**Senate Status** 04/08/2015 - Taken off notice in Senate Judiciary Committee.

**House Status** 03/31/2015 - House Civil Justice Committee recommended with amendment 1 (004466), which creates 31 additional assistant public defenders positions. The district public defenders conference shall recommend the specific judicial districts to which new positions are designated. Sent to House Finance.

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### **SB169 / HB397 Prohibits member of governing body from voting by text message.**

**Sponsors** Sen. Jack Johnson / Rep. Jeremy Durham

**Description** Prohibits members of a governing body from casting votes by means of text messaging, including members who are participating through electronic communication.

**Amendment** House Amendment 1, Senate State & Local Government Committee (005335) deletes all language after the enacting clause. Defines "executive session" as a meeting from which the public is excluded. Prohibits a public body from holding an executive session except to consider the purchase of property for public purposes; for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; or to consult with the attorney regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed. Makes adequate public notice requirements of Tenn. Code Ann. § 8-44-103 applicable to executive sessions to the same extent as any other regular and special meetings of the public body.

**Senate Status** 04/06/2015 - Senate State & Local Government Committee recommended with amendment 1 (005335). Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House passed with amendment 1 (005335), which deletes all language after the enacting clause. Defines "executive session" as a meeting from which the public is excluded. Prohibits a public body from holding an executive session except to consider the purchase of property for public purposes; for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; or to consult with the attorney regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed. Makes adequate public notice requirements of Tenn. Code Ann. § 8-44-103 applicable to executive sessions to the same extent as any other regular and special meetings of the public body.

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#### **SB335 / HB113 Gratuity for solemnization of marriage.**

**Sponsors** Sen. Ed Jackson / Rep. Jimmy A. Eldridge

**Description** Adds members of a county legislative body to the list of officials authorized to retain gratuities received for solemnization of marriage.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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#### **SB338 / HB509 Ten years as state employee equivalent to GED for retention purposes.**

**Sponsors** Sen. Frank Niceley / Rep. Billy Spivey

**Description** Specifies that 10 or more years of employment as a state employee is credited as equivalent to a GED for the purpose of retention of state employment, promotion as state employee, or return to state service. Broadly captioned.

**Senate Status** 04/06/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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#### **SB416 / HB193 Comptroller to be notified regarding breach of computer system.**

**Sponsors** Sen. Janice Bowling / Rep. Leigh Rosser Wilburn

**Description** Requires all state agencies to notify the comptroller of the treasury of any breach of a computer information system or unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of the computer information system or related security system established to protect the computer information system.

**Amendment** Senate Amendment 1 (003588) deletes all language after the enacting clause. Requires state agencies to immediately notify the Office of the Comptroller of the Treasury when any confirmed or suspected unauthorized acquisition of computerized data and any confirmed or suspected breach of a computer information system or related security system has



occurred within a reasonable amount of time. Defines breach, computer information system, related system, and reasonable amount of time for the purpose of the bill.

**Senate Status** 03/02/2015 - Senate passed with amendment 1.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0042 effective March 27, 2015.

**Public Chapter** PC42

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**SB606 / HB647 Longevity payments for executive branch employees.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Deletes provisions providing longevity payments for executive branch employees. Gives employees a permanent one-time pay increase equal to half of the longevity payment the employee is due as of June 30, 2015. Requires remaining funds for employee longevity to be reallocated to the general fund for the sole purpose of funding a merit pay system. Part of Administration Package.

**Amendment** Senate State & Local Government Committee amendment 1, House State Government Committee amendment 1 (005248) deletes all language after the enacting clause. Grandfathers in current employees and only applies to new employees. Expands the list of state employees who are not eligible to receive longevity pay to include executive branch employees in state service hired after June 30, 2015. State service is defined as all officers and positions of trust or employment in the service of state government in the executive branch and all boards, commissions and agencies of state government, except those specifically excluded in Tenn. Code Ann. §8-30-102.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB607 / HB648 Changes to state, local government & local education insurance plans.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Institutes various reforms to state, local government and local education insurance plans for the purpose of giving the state and such local entities the flexibility to offer more competitive total compensation packages and insurance plans. Authorizes the state insurance committee to approve a group insurance plan for eligible state employees, and specifies that the committee may establish the financial obligations for each coverage level in the basic plan. Authorizes the state to offer a defined contribution or defined benefit to current employees for pre-65 retiree health insurance, however state and local education employees hired after July 1, 2015 shall not be eligible for pre-65 retiree health insurance. Further provides that after July 1, 2015, no part time state employee may be eligible for any insurance plan while current employees working 1,450 hours or more per year are being grandfathered in. Specifies other requirements for the state group insurance plan to be extended to a surviving spouse and eligible dependents of a qualified state employee, and for members of the National Guard. Changes other provisions relating to state insurance laws to assist the state insurance committee in instituting the various reforms provided by this act. Part of Administration Package. (37 pp.)

**Amendment** Council on Pensions & Insurance amendment 1 (004502) deletes the authorization for the gradual decrease in the state contribution for dependents of the state health plan and authorizes the State Insurance Committee to offer a defined contribution and other plan options. Requires the basic health plan and other plan options and the state premium support amounts to comply with a written policy approved by the Council on Pensions and Insurance before becoming effective. Requires, instead of authorizes the local education insurance committee to establish a health benefit for retired local education employees.

Revises the retirement benefits authorizing the state insurance committee to offer a defined benefit and a defined contribution and specifies that eligibility may be denied for a spouse of a retiree who has employee sponsored health insurance. Establishes a Board of Trustees comprised of the Commissioner of Finance and Administration, the Chair of the Senate Finance, Ways and Means Committee, the Chair of the Finance, Ways and Means Committee of the House of Representatives, and the Chair of the Consolidated Retirement Board to manage any retirement investment vehicles established by the State Insurance Committee as a health benefit. The Department of Treasury will be responsible for all administrative functions of the investment portions of the vehicles. Defines "other post-employment benefits" OPEBs or "post-employment benefits" and requires the Board of Trustees to establish an investment trust or trusts for the purpose of pre-funding OPEBs accrued by employees of the state, to be paid as they come due in accordance with the arrangements between the state, the plan members, and their beneficiaries. The trustees are required to adopt in writing an investment policy or policies authorizing how assets in the trust may be invested and authorizes investments in any security or investment in which the TCRS is permitted to invest. The State Treasurer is responsible for the investment and reinvestment of trust funds in accordance with the policies and guidelines established by the trustees. The initial funding of any trust created under this part shall be from appropriations made in the General Appropriations Act for such purpose. HOUSE STATE GOVERNMENT COMMITTEE AMENDMENT 1 (005198) adds language specifying that any denial of coverage for an employee's or retiree's spouse based on the spouse's eligibility for similar group insurance through his or her employer only applies to employees or retirees whose employment commenced on or after July 1, 2015.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

**Executive Status** 03/16/2015 - Joint Council on Pensions and Insurance recommended with amendments 1, 2, 3, and 4 as amended. Released to standing committees with favorable comment.

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**SB609 / HB690 Credit for prior service.**

**Sponsors** Sen. Steven Dickerson / Rep. Steve McManus

**Description** Clarifies that an employee only receives credit for previous service for service provided to the employer or its predecessor and not service provided in any other capacity.

**Senate Status** 02/12/2015 - Referred to Senate State & Local Government Committee.

**House Status** 02/19/2015 - Referred to House State Government Subcommittee.

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**SB622 / HB1113 Allows counties to opt out from changing and increasing salaries.**

**Sponsors** Sen. Steve Southerland / Rep. Jeremy Faison

**Description** Authorizes counties to opt out of paying the minimum salary to county officers, county clerks, certified administrators of elections, and general sessions judges upon adoption of a resolution by a majority vote of the county legislative body. Specifies when option to opt out takes effect for each category of county official, and provides restrictions as to annual adjustments to salaries.

**Senate Status** 03/23/2015 - Withdrawn in Senate.

**House Status** 02/24/2015 - Referred to House Local Government Subcommittee.

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**SB635 / HB493 Revises qualifications for temporary county school superintendent.**

**Sponsors** Sen. Jack Johnson / Rep. John B. Holsclaw, Jr.

**Description** Removes obsolete and contradictory language concerning temporary superintendents of schools.

**Senate Status** 02/18/2015 - Referred to Senate Education Committee.

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**House Status** 03/03/2015 - Taken off notice in House Education Administration and Planning Subcommittee.

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**SB641 / HB617 Deletes obsolete language regarding automatic salary advancements.**

**Sponsors** Sen. Jack Johnson / Rep. Jerry Sexton

**Description** Updates present law by replacing the anachronistic terms "clerical secretarial or clerical management employee" with the terms "administrative assistant or administrative professional." Replaces the reference to the "three-part certified professional secretary examination or the full four-part certified administrative professional examination" with a reference to the "certified administrative professional examination." Removes the reference to the institute for certifying secretaries.

**Senate Status** 03/12/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Consent on 04/13/15.

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**SB723 / HB658 Reimbursement for training if leave less than 12 months after hired.**

**Sponsors** Sen. Mark Green / Rep. Jay D. Reedy

**Description** Requires person who received training as a condition of employment with the state to reimburse the state for the cost of that training if the person voluntarily leaves state employment less than 12 months after the person's hire date. Specifies that an employee is not required to reimburse the state if the person's employment was terminated by the state. Broadly captioned.

**Senate Status** 03/10/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 03/04/2015 - Failed in House State Government Subcommittee.

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**SB727 / HB474 Certain employee medical records are not public records.**

**Sponsors** Sen. Mark Green / Rep. Ryan A. Haynes

**Description** Clarifies that certain medical records received and maintained by the Tennessee claims commission and the division of claims administration are confidential and not subject to public inspection. Defines "healthcare provider" and "medical record" as it relates to which records maintained by these agencies are confidential.

**Senate Status** 03/09/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/02/2015 - Enacted as Public Chapter 0047 effective March 27, 2015.

**Public Chapter** PC47

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**SB813 / HB664 Probationary period for certain preferred service position transfers.**

**Sponsors** Sen. Joey Hensley / Rep. David B. Hawk

**Description** Exempts preferred service employees who transfer to another preferred service position from the one-year probationary period of employment if the employee previously completed a probationary period in a preferred service position. Broadly captioned.

**Senate Status** 04/06/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to 2016.

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**SB950 / HB478 Sick leave for maternity and paternity.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Bill Beck

**Description** Deletes provision limiting the aggregate sick time that can be used for maternity and paternity leave to 30 days if both parents are state employees.

**Senate Status** 03/16/2015 - Senate passed.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0078 effective April 6, 2015.

**SB953 / HB886 Group insurance plan for state employees.**

**Sponsors** Sen. Lee Harris / Rep. Craig Fitzhugh

**Description** Extends group insurance to state employees. Decreases the requirement for state employees from 24 months to 60 days to obtain group insurance. Decreases the requirement from having to work 1,450 hours to 640 hours within a fiscal year in order to qualify for the state group insurance, whether compensated on an hourly, daily, monthly, or piecework basis.

**Senate Status** 03/31/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

**Executive Status** 03/16/2015 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

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**SB1062 / HB128 Removal of conviction-related questions on job applications.**

**Sponsors** Sen. Lee Harris / Rep. Brenda Gilmore

**Description** Prohibits certain state agencies or political subdivisions from asking an applicant to disclose conviction history until it is determined that the applicant meet the minimum employment qualifications for the position.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 02/11/2015 - Referred to House State Government Subcommittee.

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**SB1073 / HB883 Administration of group insurance for state officials and employees.**

**Sponsors** Sen. Lee Harris / Rep. Craig Fitzhugh

**Description** Assigns the state employee staff responsible for the administration of the group insurance for state officials and employees to the department of finance and administration. Authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Finance, Ways & Means Committee.

**House Status** 02/19/2015 - Referred to House Finance Subcommittee.

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**SB1267 / HB532 Providing state employee information to TSEA.**

**Sponsors** Sen. Ken Yager / Rep. Curry Todd

**Description** Requires the state to provide TSEA information on state employees' work site location, home telephone number, and residential address every six months. Provides that the state may charge a reasonable fee for the information.

**Senate Status** 04/06/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/07/2015 - Taken off notice in House State Government Committee.

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**SB1268 / HB1168 Retirement benefits - retired employees who take job with state.**

**Sponsors** Sen. Ken Yager / Rep. Kelly Keisling

**Description** Allows a retired employee, police officer, or firefighter of a political subdivision to accept employment with a political subdivision or the state without loss or suspension of retirement benefits as long as person is not eligible to accrue additional retirement benefits as a result of the employment. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 03/25/2015 - Taken off notice in House Finance Subcommittee.

**Executive Status** 03/23/2015 - Joint Council on Pensions and Insurance deferred to 2016.

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**SB1276 / HB1158 Certain state employee evaluations are confidential.**

**Sponsors** Sen. Ken Yager / Rep. Bob Ramsey

**Description** Makes confidential the job performance evaluations of employees of the state treasurer, employees of the comptroller of the treasury, employees of the secretary of state, and employees of public institutions of higher education. Clarifies that such job performance evaluations includes self-evaluations by employees and any communications concerning job performance evaluations.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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**SB1303 / HB1129 Issued identification card not returned after retirement.**

**Sponsors** Sen. Frank Niceley / Rep. Matthew Hill

**Description** Clarifies that upon retirement an employee cannot be charged a fee for keeping the photo identification card issued by the state. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate State & Local Government Committee.

**House Status** 04/01/2015 - Taken off notice in House State Government Subcommittee.

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**SB1335 / HB1232 State insurance committee member requirements.**

**Sponsors** Sen. Randy McNally / Rep. Curtis G. Johnson

**Description** Specifies that any state employee selected to serve on the state insurance committee must be a participant in the state group insurance plan. Broadly captioned.

**Amendment** Senate State & Local Government Committee, House State Government Committee amendment 1 (004696) rewrites the bill. Adds the Chairs of the Finance, Ways and Means Committees of both the Senate and the House of Representatives to the State Insurance Committee.

**Senate Status** 04/07/2015 - Senate State & Local Government Committee recommended with amendment 1 (004696), which rewrites the bill. Adds the Chairs of the Finance, Ways and Means Committees of both the Senate and the House of Representatives to the State Insurance Committee. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

**Executive Status** 03/30/2015 - Joint Council on Pensions and Insurance released to standing committees with favorable comment.

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**Public Finance - 4**

**SB604 / HB645 The Educator Protection Act of 2015.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Enacts The Educator Protection Act of 2015, which provides excess professional liability insurance coverage for all teachers and student teachers, subject to the appropriations of the general assembly. Provides that the fund will protect against damages for claims arising out of the performance of teachers' and student teachers' duties within the scope of their employment or assignment. Establishes that the fund will be administered by the board of claims, and will be funded from appropriations by the general assembly and interest earned on the appropriated money. Provides that coverage under this act will automatically cover all full-time and part-time teachers and student teachers at no cost to the teachers or student teachers. Establishes that for the purposes of this act, teachers and student will not be considered "state employees" as defined under the provisions of law regarding defense of state employees. Part of Administration Package.

**Senate Status** 03/16/2015 - Senate passed.

**SB1107 / HB1292 Approval of fiscal review committee prior to transferring funds.**

**Sponsors** Sen. Steve Southerland / Rep. Jerry Sexton

**Description** Requires approval by a majority of the members of the fiscal review committee before residual funds of one project may be transferred to another project. Broadly captioned.

**Senate Status** 03/31/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to summer study.

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**SB1125 / HB1111 Tennessee Pay-for-Success Act of 2015.**

**Sponsors** Sen. Jeff Yarbrow / Rep. Steve McManus

**Description** Enacts the "Tennessee Pay-for-Success Act of 2015." Permits comptroller of treasury to implement a pilot program to demonstrate the feasibility of using appropriations bonds to pay for certain services. Allows comptroller to enter into contracts with public and private sectors for services and to use proceeds of bond and other debt obligations to finance financial and social outcomes. Specifies certain requirements for choosing members of the oversight committee.

**Senate Status** 02/19/2015 - Referred to Senate Finance, Ways & Means Committee.

**House Status** 02/24/2015 - Referred to House Insurance & Banking Subcommittee.

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**SB1312 / HB418 F&E tax revenue growth estimates - recurring or nonrecurring.**

**Sponsors** Sen. Randy McNally / Rep. Charles M. Sargent

**Description** Requires the state funding board, when estimating any growth in franchise and excise tax revenue, to provide a description with the estimates of whether the growth is recurring or nonrecurring in character.

**Amendment** Senate amendment 1 (003898) requires the Department of Revenue (DOR) to provide to the State Funding Board estimates of growth in franchise and excise (F&E) tax revenue and include in the estimates a description of whether the growth is non-recurring or recurring. Requires the State Funding Board to identify and report in its presentation of state revenue estimates whether any growth in F&E tax collections is non-recurring or recurring.

**Senate Status** 03/16/2015 - Senate passed with amendment 1.

**House Status** 03/26/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB1399 / HB1374 Appropriations and expenses of the state.**

**Sponsors** Sen. Mark S. Norris / Rep. Charles M. Sargent

**Description** Makes appropriations for the purpose of defraying the expenses of state government for the fiscal year beginning July 1, 2015, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state, and for certain state aid and obligations and for capital outlay; for the service of the public debt, and for emergency and contingency.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/14/15.

**House Status** 03/02/2015 - Referred to House Finance Subcommittee.

**SB1400 / HB1375 Authorizes state to issue and sale bonds up to \$521 million.**

**Sponsors** Sen. Mark S. Norris / Rep. Charles M. Sargent

**Description** Allows the state to issue direct general obligation bonds of the state up to \$521,400,000 for the purpose of providing funds to the department of finance and administration and the department of transportation, and for certain other purposes.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/14/15.

**House Status** 03/02/2015 - Referred to House Finance Subcommittee.

**SB1401 / HB1376 Annual appropriations act - statutory revisions required.**

**Sponsors** Sen. Mark S. Norris / Rep. Charles M. Sargent

**Description** Makes various statutory revisions required for implementation of the annual appropriations act.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/14/15.

**House Status** 03/02/2015 - Referred to House Finance Subcommittee.

**Retail Trade - 2**

**SB411 / HB309 Restrictions on sale of vapor products.**

**Sponsors** Sen. Doug Overbey / Rep. Steve McDaniel

**Description** Makes it unlawful for a person under the age of 18 years old to possess or purchase vapor products. Defines "vapor product" as any noncombustible, tobacco-derived product containing nicotine, such as an electronic cigarette, that employs a mechanical heating element, battery, or electronic circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in a vapor cartridge as well as any vapor cartridges containing liquid nicotine solution that can be used with or in a vapor product. Requires store owners or managers provide training to employees on the sale of vapor products. Implements child-resistant safety standards for liquid nicotine containers used in conjunction with vapor products, in accordance with federal safety standards.

**Amendment** House Agriculture & Natural Resource Committee, Senate amendment 1 (004855) deletes all language after the enacting clause of the original bill. Renames the "Prevention of Youth Access to Tobacco and Electronic Cigarettes Act" the "Prevention of Youth Access to Tobacco and Vapor Products Act" and makes multiple changes throughout the existing statute for the purpose of the Department of Agriculture (DOA) being authorized to regulate vapor products as defined by the bill, in addition to tobacco products and electronic cigarettes. Such changes include, but are not limited to, a prohibition for persons under the age of 18 to purchase vapor products; and a requirement that child-resistant liquid nicotine containers be used with vapor products in conjunction with Federal Safety Standards. Requires the Department of Health (DOH) to develop and implement comprehensive tobacco prevention programs for Tennessee, and urges the DOA to study the effects of the sale and distribution of vapor products for persons under the age of 18 and is encouraged to make recommendations to the legislature with regards to reducing such sale and distribution. Requires the language concerning "liquid nicotine container" to be effective January 1, 2016.

**Senate Status** 04/06/2015 - Senate passed with amendment 1 (004855), which deletes all language after the enacting clause of the original bill. Renames the "Prevention of Youth Access to Tobacco and Electronic Cigarettes Act" the "Prevention of Youth Access to Tobacco and Vapor Products Act" and makes multiple changes throughout the existing statute for the purpose of the Department of Agriculture (DOA) being authorized to regulate vapor products as defined by the bill, in addition to tobacco products and electronic cigarettes. Such changes include, but are not limited to, a prohibition for persons under the age of 18 to purchase vapor products; and a requirement that child-resistant liquid nicotine containers be used with vapor products in conjunction with Federal Safety Standards. Requires the Department of Health (DOH) to develop and implement comprehensive tobacco prevention programs for Tennessee, and urges the DOA to study the effects of the sale and distribution of vapor products for persons under the age of 18 and is encouraged to make recommendations to the legislature with regards to reducing such sale and distribution. Requires the language concerning "liquid nicotine container" to be effective January 1,

2016.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB683 / HB527 Revises prohibitions on where fireworks can be ignited.**

**Sponsors** Sen. Becky Duncan Massey / Rep. Ryan A. Haynes

**Description** Increases the prohibition on igniting fireworks from within 600 feet, to within 1000 feet, of a church, hospital, asylum, or public school. Increases the prohibition on igniting fireworks from within 200 feet, to within 600 feet, of where fireworks are stored or sold.

**Senate Status** 02/18/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 02/18/2015 - Referred to House Business & Utilities Subcommittee.

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**Taxes Business - 2**

**SB36 / HB244 Community foundations holding one auction sale per county.**

**Sponsors** Sen. Doug Overbey / Rep. Dennis Powers

**Description** Excludes a community foundation, holding one auction sale per county and receiving charitable support, from the definition of "business" for sales and use tax purposes, under certain circumstances.

**Amendment** Senate amendment 1 (003576) establishes that the exempt community foundation sales shall take place during no more than two auctions, lasting up to 24 hours, rather than one auction, lasting up to 48 hours, in any calendar year in each county.

**Senate Status** 03/09/2015 - Senate passed with amendment 1.

**House Status** 03/23/2015 - House passed.

**Executive Status** 04/10/2015 - Enacted as Public Chapter 0052 effective July 1, 2015

**Public Chapter** PC52

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**SB603 / HB644 Revenue Modernization Act.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Enacts the "Revenue Modernization Act," which makes various revisions to the state's tax laws in order to level the playing field for business within the state. Establishes a presumption of nexus where a seller enters into an agreement with one or more persons within the state where, in exchange for some consideration, the person refers potential customers to the dealer and the dealer's gross sale from such referrals exceed \$10,000 over a 12 month period. Requires out-of-state online retailers to collect sales and use tax from Tennessee customers if the online retailer pays an in-state party a fee or commission to route customers to the online retailer's website. Requires an out-of-state company to pay franchise and excise tax and the state business tax if the company has more than \$500,000 in sales or \$50,000 in property or payroll in the state. Extends the franchise and excise tax to services that are delivered to customers in the state, regardless of the seller's location. Establishes a bright-line nexus test to determine whether taxpayers have sufficient physical presence in the state for business tax and franchise and excise tax purposes. Imposes sales and use tax on the purchase of video game products used remotely over the internet, defined as a "video game digital product." Part of Administration Package. (14 pp.)

**Senate Status** 03/31/2015 - Senate Finance Revenue Subcommittee recommended with amendment 1 (005577). Sent to Senate Finance, Ways & Means Committee.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**Taxes General - 7**



**SB2 / HB1169 Hall income tax - phases out over three-year period.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Tilman Goins

**Description** Phases out the Hall income tax over a three year period beginning January 1, 2016, to January 1, 2018 by reducing the tax rate by 2% annually. Prohibits an income tax on dividends from stocks or by way of interest on bonds after January 1, 2018.

**Senate Status** 03/24/2015 - Senate Finance Revenue Subcommittee returned to Senate Finance with a neutral recommendation.

**House Status** 02/24/2015 - Referred to House Finance Subcommittee.

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**SB32 / HB48 Increases Hall Income tax exemptions.**

**Sponsors** Sen. Doug Overbey / Rep. Art Swann

**Description** Requires the amounts of the Hall tax exemptions to be raised annually in accordance with inflation beginning with the 2016 calendar year. Requires the department of revenue to notify taxpayers of any change in dollar amounts and to post the information on the department's website.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 03/18/2015 - House Finance Subcommittee placed behind the budget.

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**SB47 / HB813 Reduces Hall Income tax.**

**Sponsors** Sen. Mark Green / Rep. Charles M. Sargent

**Description** Reduces Hall income tax by one percent in every year that state revenue growth exceeds three percent. Specifies that once Hall income tax rate reaches three percent, the reduction rate of the Hall income tax in years that state revenue growth exceeds three percent decreases to three-quarters (.75) percent until the rate is reduced to zero. Specifies that the reduced Hall income tax rate takes effect on January 1 following the end of the fiscal year in which the state revenue growth exceeded three percent. Specifies that distribution of tax revenue to general fund decreases in conjunction with each reduction of Hall income tax rate until it reaches zero. Increases distribution of tax proceeds to county or municipality government in which the taxpayer resides until 100 percent of proceeds are distributed to the county or municipality.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 02/18/2015 - Referred to House Government Operations Committee.

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**SB58 / HB54 Reducing tax on groceries.**

**Sponsors** Sen. Mark Green / Rep. Curtis G. Johnson

**Description** Reduces the sales tax rate on food from 5 percent to 4.5 percent.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 03/25/2015 - House Finance Subcommittee placed behind the budget.

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**SB556 / HB678 Phasing out the privilege tax for certain occupations.**

**Sponsors** Sen. Janice Bowling / Rep. James (Micah) Van Huss

**Description** Institutes a plan to phase out of the privilege tax on persons engaged in certain occupations. Decreases the privilege tax annually by 20 percent over the next five years. Eliminates the tax in 2019 and thereafter. Prohibits the tax from being applied more than once for a single person in the circumstance that individuals have multiple professions being affected under the privilege tax. Prohibits any tax be levied upon the privilege of engaging in those certain professions, businesses, and occupations.

**Senate Status** 03/31/2015 - Senate Finance Revenue Subcommittee recommended. Sent to Senate Finance, Ways & Means Committee.

**SB839 / HB1358 Reduces Hall Income Tax.**

**Sponsors** Sen. Ken Yager / Rep. Kent Calfee

**Description** Reduces the Hall income tax based upon revenue growth exceeding three percent in any fiscal year, which is presently levied by the state, until it reaches zero percent. Allows local governments, upon the state tax rate reaching zero percent, to levy a like tax not to exceed 2.25 percent, if the ordinance or resolution levying the tax is approved within two years.

**Senate Status** 03/24/2015 - Taken off notice in Senate Finance Revenue Subcommittee.

**House Status** 02/24/2015 - Referred to House Finance Subcommittee.

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**SB846 / HB1357 Age limits - Hall Income Tax exemption.**

**Sponsors** Sen. Ken Yager / Rep. Kent Calfee

**Description** Increases from \$33,000 to \$43,000 for single filers and from \$59,000 to \$69,000 for persons filing jointly, the maximum income that persons 65 and older may be exempt from paying the Hall income tax for tax years 2016 and onward.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 02/24/2015 - Referred to House Finance Subcommittee.

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**Taxes Sales - 5**

**SB3 / HB1 Reduction of sales tax.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Reduces the state sales and use tax rate on tangible personal property from 7% to 6.75%. Broadly captioned.

**Senate Status** 03/24/2015 - Senate Finance Revenue Subcommittee recommended. Sent to Senate Finance, Ways & Means Committee.

**House Status** 04/08/2015 - House Finance Subcommittee placed behind the budget.

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**SB33 / HB122 Diabetic testing supplies - exemption.**

**Sponsors** Sen. Doug Overbey / Rep. David Shepard

**Description** Exempts diabetic testing supplies, including lancets, test strips for blood glucose monitors, visual read test strips, and urine test strips, from sales and use tax.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB106 / HB95 Streamlined sales and use tax agreement - effective date extended.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Extends the effective date of the streamlined sales and use tax agreement legislation from July 1, 2015, to July 1, 2017. Makes various revisions to sales tax provisions regarding warranties or service contracts covering the repair or maintenance of tangible personal property and provisions regarding the retail sale of or subscription to a computer software maintenance contract. Part of Administration Package.

**Amendment** House amendment 1 (005345) changes the effective date for the warranty or service contract provisions of the bill, from July 1, 2015, to October 1, 2015.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - House passed with amendment 1 (005345), which changes the effective date for the warranty or service contract provisions of the bill, from July 1, 2015, to October 1, 2015.

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**SB121 / HB411 Reduction in state shared revenue for certain municipalities.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Steve McManus

**Description** Requires the state to reduce the state shared revenue due to any municipality that extended its corporate limits by annexation by ordinance between April 15, 2013 and May 15, 2015, under certain circumstances.

**Senate Status** 03/26/2015 - Taken off notice in Senate State & Local Government Committee.

**House Status** 02/18/2015 - Referred to House Local Government Subcommittee.

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**SB778 / HB1059 Creates a Second Amendment tax-free weekend.**

**Sponsors** Sen. Mae Beavers / Rep. James (Micah) Van Huss

**Description** Expands tax-free holiday to include firearms, firearms accessories, and firearms ammunition, referring to it as the "Second Amendment Tax-Free Weekend." Defines firearm, firearms accessories, and firearms ammunition for the purpose of the tax-free holiday.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/15/15.

**House Status** 03/25/2015 - House Finance Subcommittee placed behind the budget.

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**TennCare - 13**

**SB114 / HB103 Extends CoverKids Act.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Extends the CoverKids Act of 2006 from June 30, 2015, to June 30, 2020. Part of Administration Package.

**Senate Status** 03/05/2015 - Senate passed.

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

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**SB301 / HB613 Consultation of TennCare advisory commission.**

**Sponsors** Sen. Ken Yager / Rep. Ron Travis

**Description** Encourages the commissioner of finance and administration to consult the TennCare advisory commission when developing policies concerning the impact on providers in the medical assistance program for home- and community-based services. Broadly captioned.

**Senate Status** 02/11/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/17/2015 - Taken off notice in House Health Subcommittee.

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**SB568 / HB621 Nursing facility providers as vendors of TennCare.**

**Sponsors** Sen. Doug Overbey / Rep. Andrew Farmer

**Description** Prohibits the bureau of TennCare from imposing certain requirements on nursing facility providers as vendors of the TennCare program unless those requirements are permitted by a (1) federal statute, (2) state statute, or (3) promulgated state rule from the Uniform Administrative Procedures Act by the applicable state agency. Specifies that some requirements imposed on a vendor in order to provide services be enacted by the general assembly in certain circumstances.

**Senate Status** 02/12/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/10/2015 - Taken off notice in House Health Subcommittee.

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**SB569 / HB231 Reporting amounts paid to the CHOICES program.**

**Sponsors** Sen. Doug Overbey / Rep. David Shepard

**Description** Requires bureau of TennCare to annually report the amount paid to each managed care organization (MCO) for long term care services and amount paid by MCOs for long term

care services in the previous fiscal year. Broadly Captioned.

**Senate Status** 02/12/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/17/2015 - Taken off notice in House Health Subcommittee.

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**SB571 / HB812 Review of compliance with applicable court orders.**

**Sponsors** Sen. Doug Overbey / Rep. Mary Littleton

**Description** Specifies that the commissioner of finance and administration shall implement policies and processes that expedite the determination of medical eligibility for nursing facilities, in addition to home- and community-based programs and services. Adds a review of compliance with applicable court orders to the TennCare eligibility policies that the commissioner of finance and administration may implement under the CHOICES program.

**Senate Status** 02/12/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 03/24/2015 - Taken off notice in House Health Subcommittee.

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**SB574 / HB515 Pro rata payment reductions from nursing home assessment trust fund.**

**Sponsors** Sen. Doug Overbey / Rep. Michael Harrison

**Description** Requires the bureau of TennCare to provide notice to the chairs of the senate and house health committees prior to making pro rata payment reductions from nursing home assessment trust fund. Broadly captioned.

**Amendment** House Health Committee amendment 1, Senate Health & Welfare Committee Amendment 1 (005611) deletes all language after the enacting clause. Extends the annual nursing home assessment for an additional year, through June 30, 2016. Revises the assessment rates of certain nursing facilities and percentages to be paid from the nursing home assessment trust fund.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB742 / HB1116 Healthcare Choice Act.**

**Sponsors** Sen. Brian K. Kelsey / Rep. Jerry Sexton

**Description** Authorizes non-Tennessee individual health insurers and non-Tennessee small employment health insurers to provide individual health benefits plans or small employer health benefits plans, as appropriate, to Tennessee residents if the insurer: (1) Offers the same benefits plans in its domiciliary state and is in compliance with all applicable laws, regulations, and other requirements of its domiciliary state; (2) Obtains a certificate of authority to do business as a foreign health insurer in this state; and (3) Participates, on a nondiscriminatory basis, in the Tennessee life and health insurance guaranty association. Specifies requirements for the non-Tennessee health insurer to obtain a certificate of authority to do business in this state. Requires non-Tennessee insurers providing coverage pursuant to this bill to disclose the differences between coverage of certain healthcare services and benefits by the individual health benefits plan or the small employer health benefits plan issued by the foreign health insurer and the coverage of such services and benefits mandated by Tennessee law. The insurer must also provide an explanation of which state's laws govern the issuance of, and requirements under, the individual health benefits plan or small employer health benefits plan offered under this bill. Requires the commissioner to establish grievance and independent claims review procedures with respect to claims by a healthcare provider or a covered person with which a non-Tennessee health insurer must comply as a condition of issuing policies in this state. Specifies that insurers must also comply with the Uniform Trade Practices and Unfair Claims Settlement Act, state law regarding insurance premium taxes, and applicable provisions of the state life and health insurance guaranty association. Requires the commissioner of finance and

administration, within 120 days of this bill's effective date, to submit a waiver amendment to the existing TennCare II waiver, or to submit a new waiver, to the federal Centers for Medicare and Medicaid services to use personal health accounts. In accordance with terms of an appropriate federal waiver for providing medical assistance in this state, each enrollee for medical assistance would receive a personal health account (PHA) for paying a portion of the enrollee's healthcare expenses. The account would be funded quarterly with an amount based on current fee-for-service average expenses, after an appropriate risk adjustment to reflect eligibility categories, age, gender, and health status. The account would be available on an individual basis. Each enrollee would use the account to purchase a benefit coverage plan from an array of options approved by the bureau of TennCare. The coverage options would range from a safety net of limited benefits to full-service benefit plans. The range of options must provide a broad continuum of consumer flexibility including, but not limited to, managed care organizations, self-directed plans, and medical home networks. Plans offered as options would directly compete for the enrollee's business. An enrollee could choose to use the full amount of the PHA to purchase comprehensive or partial coverage plans. If the enrollee selects a plan with rates that are lower than the total amount of the PHA, then the enrollee could retain any balance of the PHA to spend on healthcare related items, but not food, clothing, or shelter. Unused balances would roll forward to the next quarter. If an enrollee ceases to be eligible for medical assistance, a portion of the unused balance of a PHA could be used for healthcare expenses or to purchase health insurance. Unused funds would revert to the state after 12 months or immediately upon the death of an enrollee.

**Senate Status** 03/31/2015 - Taken off notice in Senate Commerce & Labor Committee.

**House Status** 04/01/2015 - Taken off notice in House Insurance & Banking Subcommittee.

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**SB914 / HB1012 Pharmacies posting info regarding TennCare fraud.**

**Sponsors** Sen. Jack Johnson / Rep. David Shepard

**Description** Requires pharmacies contracting with TennCare to post in a conspicuous place seen by pharmacists and pharmacy technicians a printed notice regarding reporting TennCare fraud and abuse.

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred to 2016.

**House Status** 04/08/2015 - Taken off notice in House Finance Subcommittee.

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**SB928 / HB933 Actuarial study - effect of reduction of payments to providers.**

**Sponsors** Sen. Janice Bowling / Rep. Judd Matheny

**Description** Requires the annual actuarial study of TennCare to include an analysis of the effect of reduction of payments to providers on the provision of care. Broadly captioned.

**Senate Status** 02/19/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/24/2015 - Referred to House Health Subcommittee.

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**SB961 / HB1324 Waiver to extend TennCare eligibility to veterans.**

**Sponsors** Sen. Sara Kyle / Rep. Joe E. Armstrong

**Description** Directs the commissioner of finance and administration to request an appropriate waiver to extend TennCare eligibility to veterans under the federal Patient Protection and Affordable Care Act on the basis of income on or before July 1, 2015.

**Senate Status** 04/08/2015 - Taken off notice in Senate Health & Welfare Committee.

**House Status** 04/01/2015 - Taken off notice in House Insurance & Banking Subcommittee.

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**SB1175 / HB56 Participation as dental provider in TennCare program.**

**Sponsors** Sen. Brian K. Kelsey / Rep. John J. Deberry Jr.

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**Description** Requires a managed care organization that participates in the TennCare program to allow certain dentists to participate as a provider in the TennCare program. Provides that a dentist qualifies to participate in such medical assistance if the dentist: (1) holds a current and nonrestrictive license to practice dentistry in the state; (2) has practiced in the same location, or within a two-mile radius of that location, since being approved as a provider; (3) has continuously participated in the TennCare program for at least 10 years; and (4) has ceased to function as a TennCare provider for any period sense.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 01/17/2015 - Referred to House Health Subcommittee.

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#### **SB1314 / HB503 Reimbursement rate for hospitals.**

**Sponsors** Sen. Randy McNally / Rep. Jimmy Matlock

**Description** Establishes a cap on the bureau of TennCare and any managed care organization's reimbursement to hospitals for providing healthcare services by creating a ceiling limiting reimbursement to 100 percent of the allowable charge under Medicare.

**Senate Status** 03/25/2015 - Senate Health & Welfare Committee deferred.

**House Status** 03/31/2015 - Taken off notice in House Health Subcommittee.

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#### **SB1351 / HB1271 Medical assistance to existing TennCare II waiver population.**

**Sponsors** Sen. Randy McNally / Rep. Eddie Smith

**Description** Directs the commissioner of finance and administration to submit a waiver request to the federal centers for Medicare and Medicaid services to enable the state to provide medical assistance to the existing TennCare II waiver population and persons with incomes below 138 percent of the federal poverty line by means of a block grant of federal funds within 120 days of the effective date of this act. Specifies that the block grant authorized by this section shall convert the federal share of all medical assistance funding for this state into an allotment that is tailored to meet the needs of this state and that is indexed for inflation and population growth.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/18/2015 - Taken off notice in House Insurance & Banking Subcommittee.

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### **Tort Liability - 2**

#### **SB616 / HB537 Civil immunity for forcibly entering vehicle to save animal.**

**Sponsors** Sen. Joey Hensley / Rep. David B. Hawk

**Description** Adds immunity from civil liability for person forcibly entering a vehicle to remove an animal in imminent danger of suffering harm, to existing procedures giving immunity for removing a minor in danger from a locked vehicle.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/16/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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#### **SB1032 / HB1277 Tort liability protection - certain direct client service contractors.**

**Sponsors** Sen. Bill Ketron / Rep. Sheila Butt

**Description** Creates certain tort liability protections, including provisions regarding actual damages and monetary limits, for contractors providing direct client services for the department of children's services, the department of mental health and substance abuse services, and the department of intellectual and developmental disabilities.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

## Transportation General - 3

### **SB130 / HB181 Deadline extension - pilot program to allow golf carts on roads.**

**Sponsors** Sen. Jim Tracy / Rep. Jimmy Matlock

**Description** Extends municipality's submission deadline to general assembly for annual report regarding the pilot program allowing the use of golf carts on certain public roads from February 1 to March 15. Broadly Captioned.

**Amendment** Senate Transportation Amendment 1 (005567) rewrites the bill as the omnibus license plate bill. Creates a new specialty earmarked license plates for Historic Collierville, the Multiple Sclerosis Foundation, Inc., Soulsville, U.S.A., Wingz of Love., Vanderbilt University Athletic Department, 2014 College World Series Champions – Vanderbilt University, Tennessee residents who receive the Combat Action Badge, the Combat Infantry Badge, or the Combat Medical Badge, Make-A-Wish Foundation, Rotary International, Scenic and Historic Gallatin, Cystic Fibrosis Awareness, Germantown Charity Horse Show, Supporters for the Blind and Visibly Impaired, Donate Life, Alzheimer's Association, Friends of Sycamore Shoals Historic Area, Inc., and for the Music City Inc. Foundation. Authorizes the issuance of a Tennessee Association of Realtors specialty earmarked license plate for motorcycles. Extends until July 1, 2016, the timeframe for the new specialty earmarked license plates for the Native American Indian Association, Niswonger Children's Hospital, and Tennessee Tech University to meet the issuance requirement of 1,000 plates.

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/08/2015 - House Transportation Committee recommended with amendment 1. Sent to House Finance.

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### **SB863 / HB786 Deferral of costs for offenders' community reentry programs.**

**Sponsors** Sen. Sara Kyle / Rep. G.A. Hardaway

**Description** Requires that offenders' community reentry programs include ability to obtain a 12-month deferral of fines and costs for traffic offenses and a restricted driver license for work only. Clarifies that department of correction will not be required to provide legal counsel or transportation to the offender for such purposes.

**Senate Status** 03/24/2015 - Senate Judiciary Committee deferred to 03/31/15.

**House Status** 03/24/2015 - Failed in House Criminal Justice Subcommittee.

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### **SB1019 / HB1061 Verification that person issued disable parking placard has not died.**

**Sponsors** Sen. Ferrell Haile / Rep. Darren Jernigan

**Description** Requires the department, beginning on January 1, 2016, to verify that owners of disabled parking placards have not died. Requires the department to invalidate the placard if the person is deceased.

**Senate Status** 02/19/2015 - Referred to Senate Transportation & Safety Committee.

**House Status** 02/24/2015 - Referred to House Transportation Subcommittee.

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## Transportation Vehicles - 17

### **SB110 / HB99 Technical changes to DUI law.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Makes technical corrections to the DUI statutes, including adding streets and alleys to the locations for which it is unlawful for any person to drive or to be in physical control of a motor vehicle while under the influence. Part of Administration Package.

**Senate Status** 03/23/2015 - Senate passed.

**House Status** 03/12/2015 - House passed.

**Executive Status** 04/09/2015 - Signed by governor.

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**SB177 / HB179 Increased fines for failure to use safety belts.**

**Sponsors** Sen. Bill Ketron / Rep. Jimmy Matlock

**Description** Increases fines for failure to use safety belts to \$25 for the first offense and \$50 for subsequent offenses. Limits fine for failure of persons 16-17 years old to use safety belt to \$25 for first and subsequent offenses. Allocates portion of revenue from fines to the division of vocational rehabilitation and a portion to the state general fund.

**Senate Status** 04/08/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/09/2015 - Set for House Floor on 04/14/15.

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**SB209 / HB198 Increases duration of driver licenses to eight years.**

**Sponsors** Sen. Frank Niceley / Rep. Tilman Goins

**Description** Extends driver license issuance period to eight years, starting with licenses issued on or after January 1, 2016. Authorizes commissioner of revenue to issue initial or renewal licenses for three to eight year periods to transition licensees to an eight year renewal cycle. Specifies that fee for license renewal of less than eight years will be prorated based on eight year renewal rate. Increases license fees for all classes of licenses. Broadly captioned.

**Senate Status** 04/07/2015 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.

**House Status** 04/01/2015 - House Finance Subcommittee placed behind the budget.

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**SB443 / HB451 Increases fine for texting while driving.**

**Sponsors** Sen. Jim Tracy / Rep. Jon Lundberg

**Description** Increases the fine for texting while driving from a maximum fine of \$50.00 to a fine of \$250. Also increases the fine for non-use of a seat belt while driving. Allocates a portion of the revenue for a person's conviction for not using a seat belt while driving to the state's general fund and earmarks the revenue for the exclusive use of the division of vocational rehabilitation.

**Senate Status** 03/25/2015 - Taken off notice in Senate Transportation & Safety Committee.

**House Status** 04/01/2015 - Taken off notice in House Transportation Subcommittee.

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**SB469 / HB395 Helmet exemption for motorcycle riders in funeral procession.**

**Sponsors** Sen. Mike Bell / Rep. Tilman Goins

**Description** Exempts drivers and passengers who are 18 or older from wearing a helmet while riding a motorcycle in a funeral procession, memorial ride, or body escort detail.

**Amendment** HOUSE TRANSPORTATION AMENDMENT 1 (004132) rewrites the bill. Permits passengers in a parade ride not exceeding 30 miles per hour, and both passengers and drivers in a funeral procession, memorial ride under a police escort, and in a body detail not exceeding 60 miles per hour, to not use a helmet. SENATE TRANSPORTATION & SAFETY COMMITTEE AMENDMENT 1 (004667) which places speed requirements in all scenarios where a helmet is not lawfully required when operating or riding on a motorcycle at 30 miles per hour or under.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.



**SB545 / HB550 Specialty earmarked license plate for cystic fibrosis awareness.**

**Sponsors** Sen. Todd Gardenhire / Rep. Jon Lundberg

**Description** Authorizes the issuance of a new specialty earmarked license plate for cystic fibrosis awareness.

**Senate Status** 02/12/2015 - Referred to Senate Transportation & Safety Committee.

**House Status** 02/18/2015 - Referred to House Transportation Subcommittee.

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**SB631 / HB424 Specialty license plate - Supporters of Blind and Visually Impaired.**

**Sponsors** Sen. Paul Bailey / Rep. Cameron Sexton

**Description** Authorizes issuance of Supporters of the Blind and Visually Impaired new specialty earmarked license plates. Allocates the funds from the sale of such plates to the Tennessee Council of the Blind for distribution to the Tennessee chapters of the council in amounts as determined by the council.

**Senate Status** 02/18/2015 - Referred to Senate Transportation & Safety Committee.

**House Status** 03/11/2015 - Taken off notice in House Transportation Subcommittee.

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**SB925 / HB700 Revises helmet requirement for riders and passengers of motorcycles.**

**Sponsors** Sen. Kerry Roberts / Rep. Jay D. Reedy

**Description** Exempts drivers and passengers over 21 years of age from the requirement to wear a crash helmet while operating or riding in motorcycles, motor-driven cycles, and motorized bicycles. Excludes persons not covered by health or medical insurance other than insurance through TennCare. Establishes a violation of the helmet law as a secondary offense.

**Amendment** HOUSE TRANSPORTATION COMMITTEE Amendment 1 (005917) stipulates that if a portion of the bill is ruled invalid by a court, then the rest of the bill, still being valid, would remain law and would not prompt an invalidation of the bill in its entirety. HOUSE TRANSPORTATION COMMITTEE Amendment 2 (004843) allows a medical care provider that treats a driver or passenger as a patient whom is uninsured or underinsured while riding without a helmet and are involved in an accident, to sue the patient's estate for assets.

**Senate Status** 04/09/2015 - Set for Senate Finance, Ways & Means Committee 04/13/15.

**House Status** 04/09/2015 - Set for House Finance Subcommittee 04/14/15.

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**SB1059 / HB1132 DUI - alcohol and drug assessment and treatment programs.**

**Sponsors** Sen. Todd Gardenhire / Rep. Marc Gravitt

**Description** Specifies that whether a person convicted of DUI is incarcerated or in a substance abuse treatment facility as a condition of probation, the person does not start the probation period until after serving the entire minimum mandatory sentence imposed by the court.

**Senate Status** 03/17/2015 - Senate Judiciary Committee deferred to 04/07/15.

**House Status** 02/24/2015 - Referred to House Criminal Justice Subcommittee.

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**SB1132 / HB1090 Minor riding in off-highway motor vehicle - parents to be contacted.**

**Sponsors** Sen. Janice Bowling / Rep. Kevin Dunlap

**Description** Requires a law enforcement officer to obtain the telephone number, in addition to the name and address, of a parent or guardian of a minor who was unlawfully operating or riding in an off-highway motor vehicle so that the parent or guardian can be contacted.

**Senate Status** 02/19/2015 - Referred to Senate Judiciary Committee.

**House Status** 02/24/2015 - Referred to House Transportation Subcommittee.

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**SB1187 / HB408 Motor vehicle accidents involving death or injury.**

**Sponsors** Sen. Rusty Crowe / Rep. Bud Hulse

**Description** Clarifies that in accidents involving death or personal injury the word "accident" includes any crash or collision regardless of the level of care taken by the drivers involved or whether criminal conduct was involved. Broadly captioned.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 03/19/2015 - House passed.

**Executive Status** 04/06/2015 - Sent to governor.

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**SB1271 / HB1355 Documentation needed to confirm veteran status on driver license.**

**Sponsors** Sen. Ken Yager / Rep. Kent Calfee

**Description** Authorizes the department to use its discretion to accept other official military discharge or separation papers, instead of only a certified copy of a department of defense form 214, from a Tennessee veteran requesting to have language or a symbol placed on their driver license or photo identification card reflecting their military service

**Amendment** Senate Amendment 1, House Transportation Committee amendment 1 (004412) rewrites the bill. Authorizes a foster parent or an authorized representative of the Department of Children's Services to sign the application for a driver's license or instructional permit for an individual under the age of 18.

**Senate Status** 04/02/2015 - Senate passed with amendment 1 (004412), which rewrites the bill. Authorizes a foster parent or an authorized representative of the Department of Children's Services to sign the application for a driver's license or instructional permit for an individual under the age of 18.

**House Status** 04/09/2015 - Set for House Floor on 04/13/15.

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**SB1281 / HB1102 Motorcycles can operate between lanes under certain conditions.**

**Sponsors** Sen. Joey Hensley / Rep. Timothy Hill

**Description** Permits motorcycles to operate between lanes of traffic under certain circumstances. Allows motorcyclists to operate between lanes of traffic when the speed limit is 45 mph or less, unless on the interstate or any similar limited access multilane highway or in an active school zone.

**Senate Status** 03/18/2015 - Taken off notice in Senate Transportation & Safety Committee.

**House Status** 02/24/2015 - Referred to House Transportation Subcommittee.

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**SB1317 / HB622 Underage driving while impaired.**

**Sponsors** Sen. Randy McNally / Rep. Andrew Farmer

**Description** Changes age group to which offense of underage driving while impaired statute, constituting a blood-alcohol content 0.02% or above, applies from ages 16–21 to ages 16–18. Permits a judge the authority to order the issuance of a restricted license, including interlock device, to 16–18 year-olds committing underage driving while impaired. Establishes certain punishments for violation.

**Amendment** Senate amendment 1, House Criminal Justice Committee amendment 1 (003882) removes the word "delinquent" and substitutes the language "any person found to violate this section." SENATE AMENDMENT 2 corrects a typographical error.

**Senate Status** 03/30/2015 - Senate passed with amendments 1 and 2.

**House Status** 03/25/2015 - House Finance Subcommittee placed behind the budget.

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**SB1318 / HB1193 Open container - prohibits both driver and passenger.**

**Sponsors** Sen. Randy McNally / Rep. John Ragan

**Description** Prohibits both the driver and the passengers in a motor vehicle from consuming an alcoholic beverage or possessing an open container in the passenger area and creates an administrative, rather than judicial, process to revoke the driver license of a person charged with a DUI violation or other criminal offenses. (19 pp.)

**Senate Status** 03/17/2015 - Senate Judiciary Committee deferred to last calendar.

**House Status** 04/01/2015 - House State Government Subcommittee deferred to 2016.

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#### **SB1341 / HB140 Open Container Law expansion.**

**Sponsors** Sen. Randy McNally / Rep. Jon Lundberg

**Description** Prohibits passengers in a motor vehicle from consuming or possessing an open alcoholic beverage container except in certain circumstances. Defines new terms regarding offense of consuming or possessing an open alcoholic beverage container in a motor vehicle. Authorizes bowling alleys with a restaurant or a limited service restaurant on the premises to sell and serve alcoholic beverages.

**Amendment** Senate Judiciary Subcommittee on Vehicular Crimes amendment 1, House State Government Subcommittee amendment 1 (004067) specifies places in a vehicle a person may have an open container.

**Senate Status** 03/17/2015 - Senate Judiciary Committee deferred to last calendar.

**House Status** 03/31/2015 - Failed in House State Government Committee.

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#### **SB1381 / HB1086 Violations of the child safety restraint law - allocation of funds.**

**Sponsors** Sen. Jeff Yarbro / Rep. Brenda Gilmore

**Description** Requires that no more than 20 percent of the funds received by the department of health from violations of the child safety restraint law be used for administrative costs.

**Senate Status** 03/18/2015 - Taken off notice in Senate Transportation & Safety Committee.

**House Status** 03/18/2015 - Taken off notice in House Transportation Subcommittee.

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### **Utilities - 1**

#### **SB920 / HB1313 Annual report - telecommunications joint ventures.**

**Sponsors** Sen. Jack Johnson / Rep. Art Swann

**Description** Requires the comptroller of the treasury, in cooperation with the Tennessee regulatory authority, to provide the annual report on the status of the provision of broadband services by telecommunications joint ventures to the chairs of the business and utilities committee of the house and the senate commerce and labor committee. Changes the due date for the report from January 31 to January 15.

**Senate Status** 02/19/2015 - Referred to Senate Commerce & Labor Committee.

**House Status** 03/31/2015 - Taken off notice in House Business & Utilities Subcommittee.

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### **Veterans & Military Affairs - 2**

#### **SB404 / HB183 Tennessee Veterans Traumatic Brain Injury Treatment and Recovery Act.**

**Sponsors** Sen. Doug Overbey / Rep. Art Swann

**Description** Establishes the "veterans traumatic brain injury and recovery fund" (the fund), which shall consist of donations, appropriations, or any other funds received by the department of veterans' affairs to implement the fund. Provides that the funds may be used by the department for veterans' treatment or for other activities authorized by this act. Provides that the commissioner of veterans' affairs may select a public university in the state that

shall have full jurisdiction over the treatments and costs allowed to providers from the fund. Requires the university selected to develop and publish a treatment plan for veterans being treated for a traumatic brain injury (TBI) with a "hyperbaric oxygen treatment" (HBOT). Establishes the requirements for a veteran to qualify to receive a HBOT and for a facility to be reimbursed for the treatment. Provides that subject to the availability of funding, participating facilities that provide HBOT to veterans suffering from TBI shall provide treatment at no cost to the veteran, but shall submit a bill for such treatment to the commissioner. Clarifies that the state shall be under no obligation to make payments beyond the approved amount in the fund set aside for that purpose.

**Senate Status** 02/11/2015 - Referred to Senate Health & Welfare Committee.

**House Status** 02/11/2015 - Referred to House Health Subcommittee.

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#### **SB718 / HB798 Permit dependents of military members to retain priority for services.**

**Sponsors** Sen. Mark Green / Rep. Joe Pitts

**Description** Allows dependents of military service members who are legal residents of Tennessee to retain eligibility for home and community-based services programs for intellectual disabilities if they move out of state due to the military service member's military assignment. Specifies that a dependent that resides out of state can be placed on the waiting list for intellectual disability services, and any services received prior to leaving the state will resume upon return to the state if the dependent remains eligible. Defines the term "legal resident" as it relates to continued eligibility for intellectual disability services.

**Senate Status** 03/30/2015 - Senate passed.

**House Status** 04/08/2015 - House Health Committee recommended. Sent to House Calendar & Rules.

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### **Workers Compensation - 1**

#### **SB105 / HB94 Revisions to the Workers' Compensation Law.**

**Sponsors** Sen. Mark S. Norris / Rep. Gerald McCormick

**Description** Makes various revisions to the Workers Compensation Law. Requires the administrator of the division of worker's compensation to create utilization review system to select outpatient and inpatient healthcare providers for employees claiming benefits under the chapter. Requires all providers to be accredited by specified utilization review organizations. Extends the statute of limitations for claims based on permanent partial disability to two years from the date of last payment of disability benefits where permanent partial disability benefits were paid, but the employer and employee had not entered into a settlement agreement approved by a worker's compensation judge. Redefines "qualified physician" for the purpose of the panel of physicians an employee is entitled to for pain management. Specifies procedures for filing an interlocutory appeal. Revises deadlines for filing certain papers when appealing a compensation order. Allows appeals board to modify or reverse a decision by the worker's compensation judge under certain conditions. Allows the appeals board in exceptional circumstances to extend a deadline to perform an act, excluding the filing of a notice of appeal, by five business days for interlocutory appeals, and 21 calendar days for compensation orders. Authorizes administrator to assess filing fees to fund the administration of the division. Adds swearing in witnesses at hearings and other court of worker's compensation claims functions to the list of actions worker's compensation judges have the authority to perform. Allows judge to appoint a guardian ad litem for a claim of death benefits. Grants judges of workers' compensation claims certain execution authority. Requires approval from a worker's compensation judge to settle a claim for permanent disability benefits and specifies that agreements without the requisite

approval are void. Makes other technical modifications. Part of Administration Package.

**Amendment** Senate amendment 1, House Consumer and Human Resources Committee amendment 1 (005515) replaces the word "provider" with "utilization review organization."

**Senate Status** 04/02/2015 - Senate passed with amendment 1 (005515), which replaces the word "provider" with "utilization review organization."

**House Status** 04/09/2015 - Set for House Finance Committee 04/14/15.

**Executive Status** 03/16/2015 - Workers' Compensation Advisory Council released with positive recommendation.

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